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Title 3—THE PRESIDENT

Executive Order 10868

CREATING AN EMERGENCY BOARD TO INVESTIGATE A DISPUTE BETWEEN THE NEW YORK CENTRAL SYSTEM AND CERTAIN OF ITS EMPLOYEES

WHEREAS a dispute exists between the New York Central System, a carrier, and certain of its employees represented by the Order of Railway Conductors and Brakemen, a labor organization; and

WHEREAS this dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS this dispute, in the judgment of the National Mediation Board, threatens substantially to interrupt interstate commerce to a degree such as to deprive a section of the country of essential transportation service:

NOW, THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U.S.C. 160), I hereby create a board of three members, to be appointed by me, to investigate this dispute. No member of the board shall be pecuniarily or otherwise interested in any organization of railway employees or any carrier.

The board shall report its findings to the President with respect to the dispute within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by the New York Central System, or by its employees, in the conditions out of which the dispute arose.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
February 29, 1960.

[F.R. Doc. 60-2121; Filed, Mar. 3, 1960; 12:47 p.m.]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Veterans Administration

Effective upon publication in the FEDERAL REGISTER, subparagraph (7) of § 6.322(a) is amended as set out below.

§ 6.322 **Veterans Administration.**

(a) *Office of the Administrator.* * * *

(7) One Assistant Administrator for Appraisal.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant.

[F.R. Doc. 60-2002; Filed, Mar. 4, 1960; 8:45 a.m.]

Chapter III—Foreign and Territorial Compensation

[Dept. Reg. 108.426]

PART 325—ADDITIONAL COMPENSATION IN FOREIGN AREAS

Designation of Differential Posts

Section 325.15, *Designation of differential posts,* is amended as follows, effective as of the beginning of the first pay period following February 20, 1960:

1. Paragraph (b) is amended by the deletion of the following:

La Paz, Bolivia.

2. Paragraph (d) is amended by the deletion of the following:

Cochabamba, Bolivia.

3. Paragraph (a) is amended by the addition of the following:

La Paz, Bolivia.

4. Paragraph (b) is amended by the addition of the following:

Cochabamba, Bolivia.

(Secs. 102, 401, E.O. 10000, 13 F.R. 5453, 3 CFR, 1948 Supp., E.O. 10623, E.O. 10636, 20 F.R. 5297, 7025, 3 CFR, 1955 Supp.)

Dated: February 18, 1960, Washington, D.C.

For the Secretary of State.

LANE DWINELL,
Assistant Secretary.

[F.R. Doc. 60-2051; Filed, Mar. 4, 1960; 8:49 a.m.]

[Dept. Reg. 108.427]

PART 325—ADDITIONAL COMPENSATION IN FOREIGN AREAS

Miscellaneous Amendments

Under the authority contained in Executive Order No. 10853, dated November 27, 1959, further amending Part 1 of Executive Order No. 10000, dated September 16, 1948, and pursuant to Defense Department Overseas Teachers Pay and Personnel Practices Act (73 Stat. 213), the following amendments to Part 325, Chapter III, Title 5 of the Code of Federal Regulations are hereby prescribed, effective as of the beginning of the first pay period following January 1, 1960:

§ 325.1 **[Amendment]**

1. Section 325.1(f) is deleted and the following is substituted in lieu thereof:

(f) "Basic compensation" means the rate of compensation fixed by law for the position held by an individual, before any deduction is made and exclusive of additional compensation of any kind, such as overtime pay, extra pay for work on holidays, differentials and allowances; except that in the case of teachers appointed under the Defense Department Overseas Teachers Pay and Personnel Practices Act (73 Stat. 213) basic compensation means the rate of compensation fixed by the military departments of the Department of Defense for the position held by an individual (including any appropriate increments for having completed a higher level of academic preparation) before any deduction is made and exclusive of additional compensation, such as overtime pay, extra pay for work on holidays, differentials, and allowances.

2. The introductory portion of § 325.3 is deleted and the following is substituted in lieu thereof; and a new paragraph (e) is added:

§ 325.3 **Employees eligible.**

With the exceptions contained in § 325.4, an employee shall be eligible for a differential if he is a civilian citizen or national of the United States whose basic compensation is fixed as provided in § 325.1(f), and if the employing agency has determined that he is in a foreign area because of his employment by the United States Government. The list of eligible employees includes, but is not necessarily limited to, the following groups:

* * * * *

(e) Civilian teachers of the Department of Defense. (If such teacher is employed in another position during any recess period between two school years, any differential for which he is otherwise eligible under these regulations shall be based upon the salary of the position in which he is employed during such recess period.)

§ 325.4 **[Amendment]**

3. Section 325.4 *Employees excluded* is amended by the addition of the following paragraph:

(c) "Substitute teachers" appointed under the Defense Department Overseas Teachers Pay and Personnel Practices Act (73 Stat. 213) shall not be eligible to receive a differential.

(E.O. 10853, Nov. 27, 1959)

§ 325.15 **[Amendment]**

4. Section 325.15, *Designation of differential posts,* is amended as follows, effective on the dates indicated:

a. Effective as of the beginning of the first pay period following June 1, 1957, paragraph (a) is amended by the deletion of the following:

Esteli, Madriz and Matagalpa Provinces, Nicaragua.

b. Effective as of the beginning of the first pay period following June 1, 1957, paragraph (a) is amended by the addition of the following:

Esteli Province, Nicaragua.
Madriz Province, Nicaragua.

c. Effective as of the beginning of the first pay period following March 5, 1960, paragraph (a) is amended by the deletion of the following:

Ascension Island.
Behshahr, Iran.
Cocle Province, Panama.
Gwalior, India.
Madriz Province, Nicaragua.
Pipri, India.
Sabana de la Mar, Dominican Republic.
Valle Province, Honduras.

d. Effective as of the beginning of the first pay period following March 5, 1960, paragraph (b) is amended by the deletion of the following:

Garian, Libya.
India, all posts except Anand, Banaras, Bangalore, Bhopal, Bikaner, Bombay, Chandigarh, Gwalior, Hyderabad, Izatnagar-Bareilly, Karnal, Lucknow, Ludhiana, Madras, Nagarjunasagar Dam, Nagpur, Nangal (Ganguwal), New Delhi, Pipri, Poona, Rajkot, Sehore, Sindri, Tarai (Phoolbagh), Trivandrum, Udaipur and Vellore.
Iran, all posts except Behshahr, Dezful, Firuzkuh, Isfahan, Kerman, Khaneh, Manjil, Rezaiyeh, Sanandaj, Sari, Shahabad, Shiraz, Tehran and Zirab.
Malgache Republic, all posts except Tananarive Misurata, Libya.

e. Effective as of the beginning of the first pay period following March 5, 1960, paragraph (c) is amended by the deletion of the following:

Ismailia, United Arab Republic.

f. Effective as of the beginning of the first pay period following March 5, 1960,

paragraph (d) is amended by the deletion of the following:

Libya, all posts except Barce, Cirene, Derna, El Aweila, Garian, Homs, Misurata, Sebha, Tripoli and Wheelus Field.
Sindri, India.
Tananarive, Malgache Republic.

g. Effective as of the beginning of the first pay period following June 27, 1959, paragraph (a) is amended by the addition of the following:

Sofia, Bulgaria.

h. Effective as of the beginning of the first pay period following September 19, 1959, paragraph (a) is amended by the addition of the following:

Los Brillantes, Guatemala.

i. Effective as of the beginning of the first pay period following March 5, 1960, paragraph (b) is amended by the addition of the following:

India, all posts except Anand, Banaras, Bangalore, Bhopal, Bikaner, Bombay, Chandigarh, Hyderabad, Izatnagar-Bareilly, Karnal, Lucknow, Ludhiana, Madras, Nagarjunasagar Dam, Nagpur, Nangal (Ganguwal), New Delhi, Poona, Rajkot, Sehore, Tarai (Phoolbagh), Trivandrum, Udaipur and Vellore.
Iran, all posts except Dezful, Firuzkuh, Isfahan, Kerman, Khaneh, Manjil, Rezaiyeh, Sanandaj, Sari, Shahabad, Shiraz, Tehran and Zirab.
Malagasy Republic, all posts except Tananarive.

j. Effective as of the beginning of the first pay period following March 5, 1960, paragraph (d) is amended by the addition of the following:

Libya, all posts except Barce, Cirene, Derna, El Aweila, Homs, Sebha, Tripoli and Wheelus Field.
Tananarive, Malagasy Republic.
Temuco, Chile.

(Secs. 102, 401, E.O. 10000, 13 F.R. 5453, 3 CFR, 1948 Supp., E.O. 10623, E.O. 10636, 20 F.R. 5297, 7025, 3 CFR, 1955 Supp.)

Dated: February 25, 1960, Washington, D.C.

For the Secretary of State.

LANE DWINELL,
Assistant Secretary.

[F.R. Doc. 60-2052; Filed, Mar. 4, 1960; 8:49 a.m.]

Title 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

PART 352—PLANT QUARANTINE SAFEGUARD REGULATIONS

Revision

On January 14, 1960, there was published in the FEDERAL REGISTER (25 F.R. 312) under section 4 of the Administrative Procedure Act (5 U.S.C. 1003) a notice of rule making concerning an amendment of the provisions in 7 CFR, Part 352, as amended. After due consideration of all relevant matters and under the authority of sections 1, 5, 7, and 9 of the Plant Quarantine Act of August 20, 1912, as amended (37 Stat. 315–318, as amended; 7 U.S.C. 154, 159, 160, 162), sections 103, 105, 106, and 107 of the Federal Plant Pest Act of May 23, 1957 (71 Stat. 32–34; 7 U.S.C. 150bb, 150dd, 150ee, 150ff), the Mexican Border Act of January 31, 1942, as amended (56 Stat. 40, as amended; 7 U.S.C. 149), section 501 of the Act of August 31, 1951 (65 Stat. 290; 5 U.S.C. 140), and the Act of August 28, 1950 (64 Stat. 561; 5 U.S.C. 576), 7 CFR, Part 352, as amended, is hereby amended to read as follows:

Sec.
352.1 Definitions.
352.2 Purpose; relation to other regulations; applicability.
352.3 Enforcement and administration.
352.4 Documentation.
352.5 Permit; requirement, form, and conditions.
352.6 Application for permit and approval or denial thereof.
352.7 Notice of arrival.
352.8 Marking requirements.
352.9 Ports.
352.10 Inspection; safeguards; disposal.
352.11 Mail.
352.12 Baggage.
352.13 Certain conditions under which change of Customs entry or diversion is permitted.
352.14 Costs.
352.15 Caution.
352.16–352.29 [Reserved]
352.30 Administrative instructions: Certain oranges, tangerines, and grapefruit from Mexico.

AUTHORITY: §§ 352.1 to 352.30 issued under sec. 9, 37 Stat. 318; secs. 103 and 106, 71 Stat. 32, 33; 56 Stat. 40, as amended; 7 U.S.C. 162, 150bb, 150ee, 149. Interpret or apply secs. 1, 5, and 7, 37 Stat. 315–317, as amended; secs. 105 and 107, 71 Stat. 32, 34; sec. 501, 65 Stat. 290; and 64 Stat. 561; 7 U.S.C. 154, 159, 160, 150dd, 150ff, 5 U.S.C. 140, 576.

§ 352.1 Definitions.

(a) This part may be cited by the short title: "Safeguard Regulations." This title shall be understood to include both the regulations and administrative instructions in this part.

(b) Words used in the singular form in this part shall be deemed to import the plural and vice versa as the case may demand. For purposes of this part, unless the context otherwise requires, the following terms shall be construed, respectively, to mean:

(1) *Division.* The Plant Quarantine Division, Agricultural Research Service, of the United States Department of Agriculture.

(2) *Director.* The Director of the Division, or any officer or employee of the Division to whom authority has heretofore been delegated or may hereafter be delegated to act in his stead.

(3) *Inspector.* A properly identified employee of the United States Department of Agriculture or other person authorized by the Department to enforce the provisions of the Federal Plant Pest Act and the Plant Quarantine Act.

(4) *Customs.* The Bureau of Customs, United States Treasury Department, or, with reference to Guam, the Customs Office of the Government of Guam.

(5) *Person.* Any individual, corporation, company, association, firm, partnership, society, or joint stock company.

(6) *Owner.* The owner, or his agent (including the operator of a carrier), having responsible custody of a plant, plant product, plant pest, soil, or other product or article subject to this part.

(7) *Carrier; means of conveyance.* Automobile, truck, animal-drawn vehicle, railway car, aircraft, ship, or other means of transportation.

(8) *Ship.* Any means of transportation by water.

(9) *Stores and furnishings.* Plants and plant products for use on board a carrier; e.g. as food or decorative material.

(10) *Plant pest.* "Plant pest" means any living stage of: Any insects, mites, nematodes, slugs, snails, protozoa, or other invertebrate animals, bacteria, fungi, other parasitic plants or reproductive parts thereof, viruses, or any organisms similar to or allied with any of the foregoing, or any infectious substances, which can directly or indirectly injure or cause disease or damage in any plants or parts thereof, or any processed, manufactured, or other products of plants.

(11) *Plants and plant products.* Nursery stock, other plants, plant parts, roots, bulbs, seeds, fruits, nuts, vegetables, and other plant products, and any product constituted, in whole or in part, of plant material which has not been so manufactured or processed as to eliminate pest risk.

(12) *Soil.* The loose surface material of the earth in which plants grow, in most cases consisting of disintegrated rock with an admixture of organic material and soluble salts.

(13) *Other product or article.* Any product or article of any character whatsoever (other than plants, plant products, soil, plant pests, and means of conveyance), which an inspector considers may be infested or infected by or contain a plant pest.

(14) *Prohibited or restricted product or article.* Any product or article as defined in subparagraphs (7) through (13) of this paragraph of a kind which is prohibited or restricted importation into the United States under Part 319, 320, 321, or 330 of this chapter.

(15) *Prohibited.* Importation into the United States forbidden by Part 319, 320, 321, or 330 of this chapter.

(16) *Restricted.* Importation into the United States allowed only in accordance with provisions in Parts 319, 320, 321, and 330 of this chapter.

(17) *Immediate (export, transshipment, or transportation and exportation).* The period which, in the opinion of the inspector, is the shortest practicable interval of time between the arrival of an incoming carrier and the departure of the outgoing carrier transporting a consignment of prohibited or restricted products or articles.

(18) *Safeguard.* A procedure for handling, maintaining, or disposing of prohibited or restricted products and articles subject to this part so as to eliminate the risk of plant pest dissemination which the prohibited or restricted products and articles may present.

(19) *Plant Quarantine Act.* The act of August 20, 1912, as amended (37 Stat. 315, as amended; 7 U.S.C. 151 et seq.).

(20) *The Federal Plant Pest Act.* Title I of the Act of May 23, 1957 (Title I, 71 Stat. 31; 7 U.S.C. 150aa et seq.).

(21) *Brought in for temporary stay where unloading or landing is not in-*

tended. Brought in by carrier but not intended to be unloaded or landed from such carrier. This phrase includes movement (i) departing from the United States on the same carrier directly from the point of arrival therein; and (ii) transiting a part of the United States before departure therefrom, and applies whether movement under Customs procedure is as residue cargo or follows some form of Customs entry.

(22) *Unloaded or landed for transshipment and exportation.* Brought in by carrier and transferred to another carrier for exportation from the same port, whether or not some form of Customs entry is made.

(23) *Unloaded or landed for transportation and exporation.* Brought in by carrier and transferred to another carrier for transportation to another port for exportation, whether or not some form of Customs entry is made.

(24) *Intended for importation but refused entry.* Brought in by carrier but (i) entry refused under Part 319, 320, 321, or 330 of this chapter after arrival but before unloading or landing and retained on board pending removal from the United States or other disposal, or (ii) entry refused under any of said parts after unloading or landing.

(25) *Intended for unloading and entry at a port other than the port of first arrival.* Brought in by carrier at a port for movement to the port of entry under residue cargo procedure of Customs.

(26) *Residue cargo.* Shipments authorized by Customs to be transported under the Customs bond of the carrier on which the shipments arrive, without entry being filed, for direct export from the first port of arrival, or to another port for entry or for direct export at that port without entry being required.

(27) *Port.* Any place designated by the President, Secretary of the Treasury, or Congress at which a Customs officer is assigned with authority to accept entries of merchandise, to collect duties, and to enforce the various provisions of the Customs and Navigation laws in force at that place.

(28) *Port of arrival.* Any port in the United States at which a prohibited or restricted product or article arrives.

(29) *Port of entry.* A port at which a specified shipment or means of conveyance is accepted for entry or admitted without entry into the United States.

(30) *Foreign trade zone.* A formally prescribed area containing various physical facilities located in or adjacent to ports of entry under the jurisdiction of the United States and established, operated, and maintained as a foreign trade zone pursuant to the Foreign-Trade Zones Act of June 18, 1934 (48 Stat. 998–1003; 19 U.S.C. 81a–81u), as amended, wherein foreign merchandise, as well as domestic merchandise, may be deposited for approved purposes. Movement into and from such area is subject to applicable customs, plant quarantine, and other Federal requirements.

(31) *United States.* The States, the District of Columbia, Guam, Puerto Rico, and the Virgin Islands of the United States, and the territorial waters of the United States adjacent to those land areas.

(32) *Administrative instructions.* Published documents set forth in this part relating to the enforcement of this part, and issued under authority thereof by the Director.

§ 352.2 Purpose; relation to other regulations; applicability.

(a) The importation into the United States of certain plants, plant products, plant pests, soil, and other products and articles which may be infested or infected by, or contain, plant pests is prohibited or restricted by quarantines, orders, and other regulations in Parts 319, 320, 321, and 330 of this chapter, issued under authority of sections 1, 5, 7, and 9 of the Plant Quarantine Act, sections 103, 105, 106, and 107 of the Federal Plant Pest Act, the Mexican Border Act (7 U.S.C. 149), and related laws (5 U.S.C. 140, 576). Under said authorities it is hereby determined that it is not necessary to impose such prohibitions and restrictions upon plants, plant products, plant pests, soil, and other products and articles designated in said parts when they come within any of the following categories and are moved into the United States from any foreign country and handled in the United States in compliance with this part, and said categories of plants, plant products, plant pests, soil, and other products and articles are hereby excepted from said prohibitions and restrictions if they comply with this part, except as otherwise provided in this part: (1) Are brought in for temporary stay where unloading or landing is not intended; (2) are unloaded or landed for transshipment and exportation; (3) are unloaded or landed for transportation and exportation; (4) are intended for unloading and entry at a port other than the port of arrival. However, such determination and exception shall not apply to cotton and covers imported into the United States from any country for exportation or transshipment and exportation or transportation and exportation as provided in §§ 319.8, 319.8–1 et seq. of this chapter and such cotton and covers must comply with said sections in lieu of this part. Moreover, the applicable provisions of §§ 330.100 through 330.109 and 330.400 of this chapter shall continue to apply to products and articles subject to this Part 352.

(b) Prohibited or restricted products and articles offered for entry into the United States and refused such entry under Part 319, 320, 321, or 330 of this chapter shall be subject to the applicable provisions in this part with respect to their subsequent handling in this country.

(c) (1) The provisions in this part shall apply whether the controls over arrival, temporary stay, unloading, landing, transshipment and exportation, or transportation and exportation, or other movement or possession in the United States are maintained by entry or other procedures of the Bureau of Customs, U.S. Department of the Treasury, or in Guam by the Customs of the Government of Guam.. Such provisions shall apply to arrivals in the United States, as defined in § 352.1(b)(31), including arrivals in a foreign trade zone in the United States to which admission is sought in accordance with the Customs Regulations in 19 CFR. Prohibited or restricted products and articles which have arrived in the United States and have been exported therefrom pursuant to this part, and which for any reason are returned to the United States are, upon arrival, again subject to the applicable requirements of this part.

(2) Any restrictions and requirements under this part with respect to the arrival, temporary stay, unloading, landing, transshipment, exportation, transportation and exportation, or other movement or possession in the United States of any product or article shall apply to any person who, respectively, brings into, maintains, unloads, lands, transships, exports, transports and exports, or otherwise moves or possesses in the United States such product or article, whether he is the person who was required to have a permit for the product or article or a subsequent custodian of such product or article, and failure to comply with all applicable restrictions and requirements under this part by any such person shall be deemed to be a violation of this part.

§ 352.3 Enforcement and administration.

(a) Plants, plant products, plant pests, soil, and other products and articles subject to the regulations in this part which are unloaded or landed, or otherwise brought or moved into or through the United States in contravention of this part may be seized, destroyed, or otherwise disposed of as authorized by section 10 of the Plant Quarantine Act (7 U.S.C. 164a), section 105 of the Federal Plant Pest Act (7 U.S.C. 150dd), or the Mexican Border Act (7 U.S.C. 149). Any person who unloads or lands or otherwise brings or moves into or through the United States, any plants, plant products, plant pests, soil, or other products or articles subject to this part in any manner contrary to this part, shall be subject to prosecution under the applicable provisions of law.

(b) Whenever the Director of the Division shall find that existing conditions of danger of plant pest escape or dissemination involved in the arrival, unloading, landing, or other movement, or possession in the United States of plants, plant products, plant pests, soil, or other products or articles subject to the regulations in this part, make it safe to modify by making less stringent the restrictions contained in any such regulation, he shall publish such findings in administrative instructions, specifying the manner in which the regulations shall be made less stringent with respect thereto, whereupon such modification shall become effective; or he may, upon request in specific cases, when the public interests will permit, authorize arrival, unloading, landing, or other movement, or possession in the United States under conditions that are less stringent than those contained in the regulations in this part.

(c) The Director also may set forth and publish, in administrative instructions, requirements and conditions for any class of products or articles supplemental to the regulations in this part, and may promulgate interpretations of this part.

(d) The Director shall employ procedures to carry out the purposes of this part which will impose a minimum of impediment to foreign commerce, consistent with proper precaution against plant pest dissemination.

§ 352.4 Documentation.

(a) *Manifest.* Immediately upon the arrival of a carrier in the United States the owner shall make available to the inspector for examination a complete manifest or other documentation from which the inspector may determine whether there are on board any prohibited or restricted products or articles subject to this part, other than accompanied baggage and mail.

(b) *Other documentation.* Any notifications, reports, and similar documentation not specified in the regulations in this part, but necessary to carry out the purpose of the regulations, will be prescribed in administrative instructions.

(c) *Procedure after examination of documents.* After examination of the carrier cargo manifest or other documentation the inspector may notify the owner and the Customs officer that certain products or articles on board the carrier are subject to this part and may not be unloaded or landed for any purpose pending plant quarantine inspection. In such case the owner shall not unload or land such products or articles without authorization by an inspector.

§ 352.5 Permit; requirement, form and conditions.

(a) *General.* (1) Permits are required for the arrival, unloading or landing, or other movement into or through the United States of plants, plant products, plant pests, and soil subject to this part. The permit may consist of a general authorization as set out in paragraph (b), (c), or (d) of this section or § 352.11, or it may be a specific permit. A specific permit may be formal or oral except as a formal permit is required by paragraph (c) or (e) of this section. The Director may in administrative instructions require specific or formal permits for any class of products or articles subject to this part.

(2) A formal permit may be issued in prescribed form, in letter form, or a combination thereof. A rubber stamp impression or other endorsement made by the inspector on pertinent Customs documents covering the products or articles involved may constitute the formal permit in appropriate cases.

(b) *Permit for prohibited or restricted products or articles brought in for temporary stay where unloading or landing in the United States is not intended.* No permit other than the authorization contained in this paragraph shall be required for bringing into the United States any plants, plant products, plant pests, or soil subject to this part for temporary stay where unloading or landing in the United States is not intended, e.g., in connection with residue cargo movement under Customs procedure, or in connection with Customs entry for exportation or for transportation and exportation. This authorization also includes transshipment of products and articles under this paragraph from a carrier directly to another carrier of the same company when necessitated by an emergency or operating requirement and effected in accordance with safeguards prescribed in writing or orally by the inspector under § 352.10.

(c) *Permit for prohibited or restricted products or articles unloaded or landed for immediate transshipment and exportation, or immediate transportation and exportation.* When in the opinion of the inspector it is unnecessary to specify in a formal permit the safeguards required to prevent plant pest dissemination, plants, plant products, plant pests, or soil subject to this part may be unloaded or landed for immediate transshipment and exportation or for immediate transportation and exportation, as provided in § 352.10, with the approval of the inspector and no further permit than the authorization contained in this paragraph; otherwise a formal permit shall be required for such unloading or landing.

(d) *Permit for restricted products or articles moving as residue cargo from port of first arrival to port of entry.* Restricted plants, plant products, plant pests, or soil subject to this part arriving in the United States for movement under residue cargo procedures of Customs from a port of first arrival to another port for Customs entry into the United States may be allowed to so move without permit other than the authorization contained in this paragraph, if the inspector finds that apparently they can meet the applicable requirements of Parts 319, 320, 321, and 330 of this chapter at the port where entry is to be made; otherwise a formal permit shall be required for such movement. Such restricted products and articles shall become subject to the applicable permit and other requirements of Parts 319, 320, 321, and 330 of this chapter upon arrival at the port where Customs entry is to be made and shall not be unloaded or landed unless they comply with the applicable requirements.

(e) *Formal permits required for certain prohibited or restricted products or articles brought into a foreign trade zone.* A formal permit must be obtained to bring any prohibited or restricted plants, plant products, plant pests, or soil subject to the provisions in this part, into a foreign trade zone for storage, manipulation, or other handling, except for immediate transshipment and exportation or for immediate transportation and exportation. Special conditions to safeguard such storage, manipulation, or other possession or handling may be specified in the permit, and when so specified shall be in addition to any other applicable requirements of this part or the safeguards prescribed by the inspector or otherwise under this part.

§ 352.6 Application for permit and approval or denial thereof.

(a) *Plants and plant products.* Except as otherwise provided in this paragraph, any person desiring to unload or land, or otherwise move into or through the United States, any plants or plant products for which a specific permit is required by § 352.5, shall in the case of prohibited plants or plant products, and should in the case of restricted plants or plant products, in advance of arrival in the United States of the plants or plant products, submit an application for a permit to the Division,[1] stating such of the following information as is relevant: the name and address of the importer, the approximate quantity and kind of plants and plant products it is desired to import under this part, the country where grown, the United States port of arrival, the United States port of export, the proposed routing from the port of arrival to the port of exportation, means of transportation to be employed (i.e., mail, air mail, express, air express, freight, air freight, baggage), and the name and address of the agent representing the importer. Applications may be made on forms provided for the purpose by the Division, or orally, or by letter, telegram, or other means of communication furnishing all the information required by this paragraph. Applications need not be made for shipments handled under general authorizations set forth in § 352.5 (b), (c), or (d), or in § 352.11.

(b) *Plant pests.* Any person desiring to unload or land, or otherwise move into or through the United States, any plant pest for which a specific permit is required by § 352.5 shall, in advance of the arrival of the plant pests in the United States, submit an application to the Division[2] for a permit as specified by § 330.201 of this chapter.

(c) *Soil.* Any person desiring to bring into or unload or land, or otherwise move into or through the United States, any soil for which a specific permit is required by § 352.5 shall, in advance of the arrival of the soil in the United States, submit an application for permit to the Division[2] as specified by § 330.300(b) of this chapter.

(d) *Constructive oral application.* If a permit has not been issued in advance of arrival, application for any required permit (other than a formal permit) shall be considered to have been made orally to the inspector at the port of arrival by presentation of the shipment for entry or its listing on the manifest or other documentation, but this shall not excuse failure to make timely application as required by this section. Express application is required for a formal permit.

(e) *Approval or denial of permits.* Upon approval of the application, the

[1] Application for such permits should be addressed to the Plant Importations Branch, Plant Quarantine Division, Agricultural Research Service, U.S. Department of Agriculture, 209 River Street, Hoboken, N.J.

[2] Application for permits should be made to the Plant Quarantine Division, Agricultural Research Service, U.S. Department of Agriculture, Washington 25, D.C.

permit will be issued. Any conditions necessary to eliminate danger of plant pest dissemination may be specified in the permit, or otherwise as provided in § 352.10. Permits will be denied if, in the opinion of the Director, it is not possible to prescribe conditions adequate to prevent danger of plant pest dissemination by the plants, plant products, plant pests, or soil involved.

§ 352.7 Notice of arrival.

Immediately upon arrival of any shipment of plants or plant products subject to this part and covered by a specific permit, the importer shall submit in duplicate through the U.S. Collector of Customs for the U.S. Department of Agriculture a notice of such arrival on a form provided for that purpose (PQ–368) and shall give such information as is called for by that form and, in addition, where relevant, the proposed routing to the proposed U.S. port of exit. Notice of arrival shall not be required for other products or articles subject to this part since other available documentation meets the requirement for this notice.

§ 352.8 Marking requirements.

Prohibited and restricted products and articles subject to this part shall be adequately marked or otherwise identified by documentation to indicate their nature.

§ 352.9 Ports.

The arrival, unloading, landing, or possession of plants, plant products, plant pests, soil, or other products or articles subject to this part shall not be allowed at points within the United States other than at the ports specified in the Customs Regulations in 19 CFR 1.1 and 19 CFR 6.13, and Agana, Guam, or such other ports as may be named in permits or administrative instructions. Restrictions on the ports which may be used for particular types of handling of any products or articles subject to this part may be specified generally in administrative instructions or in permits in specific cases. When ports are specified in permits or otherwise, the arrival, unloading, landing, or possession of the products or articles involved at other ports will not be allowed except as the inspector may authorize changes in the ports specified.

§ 352.10 Inspection; safeguards; disposal.

(a) *Inspection and release.* Prohibited and restricted products and articles subject to this part shall be subject to inspection at the port of first arrival in accordance with § 330.105(a) of this chapter and shall not be released by Customs officers for unloading, landing, or other onward movement or entry until released by an inspector or a Customs officer on behalf of an inspector in accordance with the procedure prescribed in § 330.105(a) of this chapter. If diversion or change of Customs entry is not permitted for any movements authorized under this part, the inspector at the original port of Customs entry shall appropriately endorse Customs documents to show that fact. However, the inspector at the U.S. port of export may approve diversion or change of Customs entry to permit movement to a different foreign country, or entry into the United States, subject to all other applicable requirements under this part or Part 319, 320, 321, or 330 of this chapter. If diversion or change of Customs entry is desired at a Customs port in the United States where there is no inspector, the owner may apply to the Division[8] for information as to applicable conditions. If diversion or change of entry is approved at such a port, confirmation will be given by the Division to the appropriate Customs officers and Division inspectors.

(b) *Safeguards.* (1) The unloading, landing, retention on board as stores and furnishings or cargo, transshipment and exportation, transportation and exportation, onward movement to the port of entry as residue cargo or under a Customs entry for immediate transportation, and other movement or possession within the United States of prohibited or restricted products and articles under this part shall be subject to such safeguards as may be prescribed in the permits and this part and any others which, in the opinion of the inspector, are necessary and are specified by him to prevent plant pest dissemination. In the case of prohibited or restricted products or articles subject to this part which are unloaded or landed for transshipment and exportation or transportation and exportation, or for onward movement to the port of entry as residue cargo or under a Customs entry for immediate transportation, this shall include necessary safeguards with respect to any movement within the port area between the point of arrival and the point of temporary storage, other handling, or point of departure, including a foreign trade zone. Prohibited and restricted products and articles subject to this part which are unloaded or landed for transshipment and exportation or transportation and exportation, or for onward movement as residue cargo or under a Customs entry for immediate transportation, shall be transshipped, or transported and exported from the United States, or moved onward immediately. This shall mean the shortest practicable interval of time commensurate with the risk of plant pest dissemination required to transfer the products or articles from one carrier to another and to move them onward or from the United States. If, in the opinion of the inspector, considerations of risk of plant pest dissemination require, such movement shall be made without regard to the noncompetitive or competitive relations of the carriers concerned, and the inspector shall promptly report to the Division the circumstances when the emergency is so acute that subsequent movement is required on a carrier of a company other than the one bringing the products or articles to the United States or on which onward movement was contemplated by the shipper or forwarding carrier. Prohibited or restricted plants, plant products, plant pests, and soil which were intended for entry into the United States under Parts 319, 320, 321, or 330 of this chapter, or for movement into or through the United States under this part, and which were refused such entry or movement before unloading or landing, or which were refused such entry or movement after unloading or landing and are immediately reladed on the same carrier, may be retained on board pending removal from the United States or other disposal, but shall be subject to the safeguards specified under this section. Prohibited or restricted products and articles which were refused entry or movement under said parts after unloading or landing and which are not immediately reladed in accordance with this section shall be subject to such safeguard action as the inspector deems necessary to carry out the purposes of this part.

(2) Safeguards prescribed by an inspector under this section shall be prescribed to the owner by the inspector in writing except that the inspector may prescribe the safeguards orally when, in his opinion, the circumstances and related Customs procedures do not require written notice to the owner of the safeguards to be followed by the owner. In prescribing safeguards, the relevant requirements of Parts 319, 320, 321, and 330 of this chapter and this part shall be considered. The safeguards prescribed shall be the minimum required to prevent plant pest dissemination. Destruction or exportation shall be required only when no less drastic measures are deemed by the inspector to be adequate to prevent plant pest dissemination. The inspector may follow administrative instructions promulgated for certain situations, or he may follow a procedure selected by him from administratively approved methods known to be effective in similar situations. In the case of aircraft that are contaminated with insect pests, only an insecticidal formulation, approved for use in aircraft, may be so applied as an emergency measure. If the application is not effective against the insect pests or if other pests must be safeguarded against, the inspector shall report the circumstances promptly to the Division and receive instructions as to safeguards that will not have a deleterious effect on the structure of the aircraft or its operating equipment. In prescribing safeguards consideration will be given to such factors as:

(i) The nature and habits of the plant pests known to be, or likely to be, present with the plants, plant products, soil, or other products or articles.

(ii) Nature of the plants, plant products, plant pests, soil, or other products or articles.

(iii) Nature of containers or other packaging and adequacy thereof to prevent plant pest dissemination.

(iv) Climatic conditions as they may have a bearing on plant pest dispersal, and refrigeration if provided.

(v) Routing pending exportation.

(vi) Presence of soil.

(vii) Construction or physical condition and type of carrier.

[8] The Director, Plant Quarantine Division, Agricultural Research Service, U.S. Department of Agriculture, Washington 25, D.C. Telephone: DUdley 8–4493.

(viii) Facilities for treatment, or for incineration or other destruction.

(ix) Availability of transportation facilities for immediate exportation.

(x) Any other related factor which should be considered, such as intent to export to an adjacent or nearby country.

(c) *Disposal.* (1) If prohibited or restricted products or articles subject to this part are not safeguarded in accordance with measures prescribed under this part, or cannot be adequately safeguarded to prevent plant pest dissemination, they shall be seized, destroyed, or otherwise disposed of according to law. Whenever disposal action is to be taken by the inspector he shall notify the local Customs officer in advance.

(2) When a shipment of any products or articles subject to this part has been handled in accordance with all conditions and safeguards prescribed in this part and in the permit and by the inspector, the inspector shall inform the local Customs officer concerned of the release of such products or articles, in appropriate manner.

§ 352.11 Mail.

(a) *Transit mail.* (1) Plants, plant products, plant pests, and soil which arrive in the United States in closed dispatches by international mail or international parcel post and which are in transit through the United States to another country shall be allowed to move through the United States without further permit than the authorization contained in this section. Notice of arrival shall not be required as other documentation meets the requirement for this notice.

(2) Inspectors ordinarily will not inspect transit mail or parcel post, whether transmitted in open mail or in closed dispatches. They may do so if it comes to their attention that any such mail or parcel post contains prohibited or restricted products or articles which require safeguard action. Inspection and disposal in such cases will be made in accordance with this part and Part 330 of this chapter, and in conformity with regulations and procedures of the Post Office Department for handling transit mail and parcel post.

(b) *Importation for exportation.* Plants and plant products to be imported for exportation, by mail, will be handled under permit in accordance with Part 351 of this chapter.

§ 352.12 Baggage.

Products or articles subject to this part which are contained in baggage shall be subject to the requirements of this part in the same manner as cargo.

§ 352.13 Certain conditions under which change of Customs entry or diversion is permitted.

When plants, plant products, plant pests, and soil released for exportation, transshipment and exportation, or transportation and exportation, under this part, have met all applicable permit and other requirements for importation, including inspection and treatment, as provided in Part 319, 320, 321, or 330 of this chapter, the form of Customs entry may be changed and the shipment may be diverted at any time to permit delivery of the products and articles to a destination in the United States, so far as the requirements in this part are involved. The Customs officer concerned at the original port of Customs entry shall be informed by the inspector that such release has been made and that such change of entry or diversion is approved under this part by appropriate endorsement of Customs documents.

§ 352.14 Costs.

All costs incident to the inspection, handling, safeguarding, or other disposal of prohibited or restricted products or articles under the provisions in this part, except for the services of an inspector during regularly assigned hours of duty and at the usual places of duty, shall be borne by the owner.

§ 352.15 Caution.

In applying safeguards or taking other measures prescribed under the provisions in this part, it should be understood that inexactness or carelessness may result in injury or damage. It should also be understood by the owners that emergency measures prescribed by the inspector to safeguard against plant pest dissemination may have adverse effects on certain products and articles and that they will take the calculated risk of such adverse effects of authorized measures.

§§ 352.16–352.29 [Reserved]

§ 352.30 Administrative instructions: Certain oranges, tangerines, and grapefruit from Mexico.

The following provisions shall apply to the movement into or through the United States under this part of oranges, tangerines, and grapefruit from Mexico in transit to foreign countries via United States ports on the Mexican border.

(a) *Untreated fruit; general*—(1) *Permit and notice of arrival required.* The owner shall, in advance of shipment of untreated oranges, tangerines, or grapefruit from Mexico via United States ports on the Mexican border to any foreign country, procure a formal permit as provided in § 352.6, or application for permit may be submitted to the inspector at the port in the United States through which the shipment will move. Notice of arrival of such fruit shall be submitted as required by § 352.7.

(2) *Origin; period of entry.* Such fruit may enter from any State in Mexico throughout the year, in accordance with requirements of this section and other applicable provisions in this part.

(3) *Cleaning refrigerator cars and aircraft prior to return to the United States from Canada.* Refrigerator cars and aircraft that have been used to transport untreated oranges, tangerines, or grapefruit from Mexico through the United States to Canada shall be carefully swept and freed from all fruit, as well as boxes and rubbish, by the carrier involved prior to reentry into the United States.

(4) *Inspection; safeguards.* (i) Each shipment under this paragraph (a) shall be subject to such inspections and safeguards as are required by this section and such others as may be prescribed by the inspector pursuant to § 352.10.

(ii) Truck loads of untreated oranges, tangerines, and grapefruit arriving from Mexico at authorized ports in the United States for loading into refrigerator cars, aircraft, or ships for movement to a foreign country shall be preinspected by an inspector for freedom from citrus leaves before entry into the United States or be accompanied by an acceptable certificate from an inspector as to such freedom. Trucks loaded with such untreated fruit that are not free of such leaves will be denied entry into the United States. Loaded trucks free of such leaves shall be convoyed by an inspector from point of arrival in the United States to the point of unloading, or shall move under such other safeguards as the inspector shall prescribe.

(iii) All trucks, refrigerator cars, aircraft, and ships used to transport untreated fruit from Mexico through the United States to a foreign country under this paragraph (a) shall be subject to such treatment at the port of first arrival and elsewhere as may be required by the inspector, pursuant to this part, in order to prevent plant pest dissemination.

(b) *Additional conditions for overland movement of certain untreated fruit.* Untreated oranges, tangerines, and grapefruit from Mexico may move overland through the United States to a foreign country only in accordance with the following additional conditions:

(1) *Containers.* Such fruit shall be packed in containers of approximately the size customarily used by the trade for marketing such fruit in the United States.

(2) *Ports of entry.* Such fruit may enter only at Nogales, Arizona; or Brownsville, Eagle Pass, El Paso, Hidalgo, or Laredo, Texas.

(3) *Carrier*—(i) *Railway cars.* Refrigerator cars, in good condition, of United States or Canadian ownership only shall be used to transport such fruit by railway through the United States to Canada or other foreign country.

(ii) *Aircraft.* Aircraft may be used to transport such fruit from the ports named in subparagraph (2) of this paragraph to points in Canada.

(iii) *Trucks.* Trucks may be used to haul such fruit from Mexico to shipside, or to approved refrigerated storage pending lading aboard ship, in Brownsville, or alongside refrigerator cars or aircraft at the ports named in subparagraph (2) of this paragraph for movement to a foreign country. Such trucks shall be of the van-type and shall be kept closed from time of entry into the United States until unloading is to commence; or the load shall be covered with a tarpaulin tightly tied down which shall not be removed or loosened from time of entry into the United States until unloading is to commence. Trucks may not be used otherwise to transport such fruit from Mexico overland through the United States.

(4) *Bonded rail movement*—(i) *Routing.* Shipments of such fruit may move by direct route, in Customs bond and under Customs seal, without diversion or

change of Customs entry en route, from the port of entry to the port of exit en route to Canada or to an approved North Atlantic port in the United States for export to another foreign country, as follows: The fruit may be entered at Nogales, Arizona, only for direct rail routing to El Paso, Texas, after which it shall traverse only the territory bounded on the west by a line drawn from El Paso, Texas, to Salt Lake City, Utah, and then to Portland, Oregon, and on the east by a line drawn from Brownsville, Texas, through Houston, Texas, and Kinder, Louisiana, to Memphis, Tennessee, and then to Louisville, Kentucky, and due east therefrom, such territory to include railroad routes from Brownsville to Houston and direct northward routes therefrom. Such fruit may also enter the United States from Mexico at any port listed in subparagraph (2) of this paragraph for direct eastward rail movement in Customs bond and under Customs seal, without diversion en route, for reentry into Mexico.

(ii) *Icing.* All refrigerator cars transporting such fruit from States in Mexico other than Sonora shall be iced prior to crossing at Brownsville, Eagle Pass, El Paso, or Laredo, Texas, and shall be re-iced if necessary to prevent plant pest dissemination south of Little Rock, Arkansas, or a line drawn east and west therefrom. North of such a line no further icing is required. Icing, insofar as this part requires, may be omitted if all openings leading from the car to the ice bunkers are covered with a 14-mesh fly screen in a manner satisfactory to the inspector. All such cars must move through the United States with all doors closed and sealed.

(5) *Bonded air cargo movement.* Shipments of such fruit may move by direct route as air cargo, in Customs bond and without change of Customs entry while in the United States en route from the port of entry, to Canada. If an emergency occurs en route to the port of export that will require transshipment to another carrier, the owner should apply to the Division[8] for information as to applicable conditions.

(c) *Additional conditions for movement of certain untreated fruit by water route.* Untreated oranges, tangerines, and grapefruit from Mexico may move from Mexico to a foreign country by water route through the United States under this section only in accordance with the following additional conditions:

(1) *Ports of entry.* Such oranges, tangerines, and grapefruit may enter only at New York, Boston, or such other North Atlantic ports in the United States as may be named in permits, for exportation, or at Brownsville, Texas, for exportation by water route.

(2) *Routing through North Atlantic ports.* Such fruit entering via North Atlantic ports in the United States shall move by direct water route to New York or Boston, or to such other North Atlantic ports as may be named in the permit only for immediate direct export by water route to any foreign country, or for immediate transportation and exportation in Customs bond by direct rail route to Canada.

(3) *Exportation from Brownsville by water.* (i) Such fruit laden in refrigerated holds for export from Brownsville shall be stowed in closed compartments if the ship is to call at other Gulf or South Atlantic ports in the United States. The compartments are not to be opened while in such other Gulf or South Atlantic ports.

(ii) Such fruit for export from Brownsville, not laden in refrigerated holds, shall be stowed in closed compartments separate from other cargoes. Bulkheads of such compartments shall be kept closed. Hatches containing such fruit shall be closed and the tarpaulin battened down and sealed with Division seals. Such seal shall remain unbroken while the ship is in any such Gulf or South Atlantic port or waters. Vents and ventilators leading to compartments in which the fruit is stowed must be screened with fine mesh screening. Advance notice of arrival of ships carrying untreated Mexican oranges, tangerines, or grapefruit shall be given to the inspector at such Gulf or South Atlantic ports of call.

(d) *Restriction on diversion or change of Customs entry.* Diversion or change of Customs entry shall not be permitted with movements authorized under paragraph (b) (4) or (5) or paragraph (c) of this section and the inspector at the original port of Customs entry shall appropriately endorse the Customs documents to show that fact: *Provided,* That the inspector at such port of entry may, when consistent with the purposes of this part, approve diversion or change of Customs entry to permit movement to a different foreign country or entry into the United States subject to all other applicable requirements under this part or Part 319 of this chapter. If diversion or change of Customs entry is desired at a Customs port in the United States where there is no inspector, the owner may apply to the Division[8] for information as to applicable conditions. If diversion or change of entry is approved at such a port, confirmation will be given by the Division to appropriate Customs officers and Division inspectors.

(e) *Treated fruit.* Oranges, tangerines, and grapefruit from Mexico which have been treated in Mexico in accordance with § 319.56–2e of this chapter may be imported through the United States ports on the Mexican border for exportation in accordance with §§ 319.56 and 319.56–1 through 319.56–8 of this chapter.

(f) *Costs.* Costs shall be borne by the owner of the fruit as provided in § 352.14. This includes all costs for preinspection and convoying of loaded trucks and supervision of transloading from trucks to approved carriers or storage in United States ports when augmented inspection service has to be provided for such preinspection, convoying, and supervision.

This revision brings the provisions of Part 352 into conformity with present day trade and transportation practices and brings together for the benefit of the public an outline of the procedures deemed necessary to safeguard the United States from the risk of dissemination of plant pests during the presence in this country of foreign plants, plant products, plant pests, soil, and other products and articles, transiting, or otherwise temporarily within, the territorial limits of the United States. This revision also resolves apparent conflicts between the existing language in Part 352 and certain subparts of Part 319. It reduces the responsibilities of those having charge over shipments in the categories covered with respect to application for certain permits. Furthermore, it should also result in a simplification of the minimum essential procedures to prevent plant pest dissemination with these movements.

Two clarifying statements on inspection procedures have been inserted in § 352.10(b) as a result of comments received pursuant to the notice of rule making. They relieve restrictions on the public by limiting the inspectors' authority and are not such as to require any action by affected members of the public beyond that required under the notice of rule making. Therefore, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found on good cause that notice and other public participation in rule making with respect to the changes are impracticable and unnecessary.

This amendment shall become effective April 4th, 1960.

Done at Washington, D.C., this 1st day of March 1960.

[SEAL] M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 60–2082; Filed, Mar. 4, 1960; 8:52 a.m.]

[8] The Director, Plant Quarantine Division, Agricultural Research Service, U.S. Department of Agriculture, Washington 25, D.C. Telephone: DUdley 8–4493.

PART 362—REGULATIONS FOR THE ENFORCEMENT OF THE FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Dates Upon Which Certain Sections of the Act Shall Become Applicable to Nematocides, Plant Regulators, Defoliants, and Desiccants

The Nematocide, Plant Regulator, Defoliant, and Desiccant Amendment of 1959, approved August 7, 1959, amended the Federal Insecticide, Fungicide, and Rodenticide Act to include nematocides, plant regulators, defoliants, and desiccants. The amendment became effective upon enactment with certain exceptions. The amendment provides that sections 3, 8, 9 and 10 of the Federal Insecticide, Fungicide, and Rodenticide Act shall not be applicable until March 5, 1960, to two classes of products. These classes are: (1) Any nematocide, plant regulator, defoliant or desiccant marketed commercially prior to the date of the enactment of the amendment, the use of which does not result in a residue remaining in or on a food; and (2) any nematocide, plant regulator, defoliant or desiccant whose use does result in residue remaining in or

on a food at the time of introduction into interstate commerce and which use had commercial application prior to January 1, 1958. The amendment further provides that the Secretary of Agriculture may extend the date upon which these sections of the Federal Insecticide, Fungicide, and Rodenticide Act shall become applicable to these classes of products to a date not beyond March 5, 1961, upon a determination that such extension will not be unduly detrimental to the public interest and is necessary to avoid hardships. Notwithstanding any such extensions, all provisions of the Federal Insecticide, Fungicide, and Rodenticide Act become fully applicable to any of these products upon the date of its registration under the Act.

The Department has received many requests for an extension, until March 5, 1961, of the date upon which these sections of the Federal Insecticide, Fungicide, and Rodenticide Act shall become applicable to these products. Requests from Experiment Stations, research institutes and users have cited the need for nematocides, plant regulators, defoliants, and desiccants in the production of agricultural commodities, and have emphasized that additional time is required to obtain the data which are necessary to clarify the status of many of these materials under the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Food, Drug, and Cosmetic Act. Since the enactment of the Nematocide, Plant Regulator, Defoliant and Desiccant Amendment, a complete growing season has not been available to obtain such data. The requested extension period would provide an additional growing season for this purpose. Requests have also specified that a variety of chemicals are needed for effective agricultural production in recognition of varying growing conditions.

This Department has given careful consideration to these requests in the light of the knowledge and experience of the Department in this field. Where these materials are well established in agriculture and there is no evidence that their use is detrimental to the public interest, the Department has determined that the requested extensions are justified and in consonance with the intent of Public Law 86-139. However, it is not believed that a blanket extension for all uses of nematocides, plant regulators, defoliants, and desiccants would be justified.

Upon the basis of the foregoing, the Department has determined that it will not be unduly detrimental to the public interest and is necessary to avoid hardships to grant the extensions hereinafter specified.

1. With respect to any nematocide, plant regulator, defoliant, or desiccant which was marketed commercially prior to the date of the enactment of The Nematocide, Plant Regulator, Defoliant, and Desiccant Amendment of 1959, the use of which does not result in a residue remaining in or on a food, the date upon which sections 3, 8, 9, and 10 of the Federal Insecticide, Fungicide, and Rodenticide Act shall become applicable is extended to March 5, 1961, or the date upon which such product is registered under the Federal Insecticide, Fungicide, and Rodenticide Act, whichever date first occurs. Any manufacturer or formulator of any nematocide, plant regulator, defoliant, or desiccant may immediately consult with the Plant Pest Control Division, Agricultural Research Service of this Department, concerning the applicability of this extension to any particular use of these products.

2. The Nematocide, Plant Regulator, Defoliant and Desiccant Amendment of 1959 provides that with respect to any particular commercial use of a nematocide, plant regulator, defoliant, or desiccant in or on a raw agricultural commodity, if such use was made of such substance before January 1, 1958, section 406(a) and clause (2) of section 402(a) of the Federal Food, Drug, and Cosmetic Act, as in force prior to the date of the enactment of the Act of July 22, 1954, (relating to pesticide chemicals on raw agricultural commodities) shall apply until March 5, 1960, or the end of such additional period not beyond March 5, 1961, as the Secretary of Health, Education, and Welfare may prescribe. Since nematocides, plant regulators, defoliants, and desiccants whose use will result in residues remaining in or on raw agricultural commodities will be subject to the provisions of the Act of July 22, 1954, as well as the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act, it is deemed necessary that the dates upon which the provisions of these Acts become applicable to such products be the same. Therefore, with respect to any nematocide, plant regulator, defoliant, or desiccant whose use does result in residue remaining in or on a food at the time of introduction into interstate commerce and which use had commercial application prior to January 1, 1958, the date upon which sections 3, 8, 9, and 10 of the Federal Insecticide, Fungicide, and Rodenticide Act shall become applicable is extended to the same date as that determined by the Secretary of Health, Education, and Welfare to be the date upon which the Act of July 22, 1954 (68 Stat. 511), shall become applicable to such products.

It should be emphasized that the extension granted to chemicals in the two classes specified is not intended to delay immediate registration of them where possible. Registration of any of these materials can be effected at any time during the extension period when adequate evidence is available to justify such registration. The Department recognizes that registration of these new classes of materials will involve unique problems in such fields as nematology, agronomy, plant physiology, chemistry, and pharmacology. In order to spread the tremendous workload upon the Department staff, during the extension period, interested manufacturers, formulators, and distributors should contact the Department promptly with regard to registration of their products.

(Sec. 6, 61 Stat. 168; 7 U.S.C. 135d; 7 CFR 362.3)

Done at Washington, D.C., this 2d day of March 1960.

M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 60-2081; Filed, Mar. 4, 1960; 8:53 a.m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Navel Orange Reg. 187]

PART 914—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 914.487 Navel Orange Regulation 187.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 14, as amended (7 CFR Part 914), regulating the handling of navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period here-

in specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on March 3, 1960.

(b) *Order.* (1) The respective quantities of navel oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., March 6, 1960, and ending at 12:01 a.m., P.s.t., March 13, 1960, are hereby fixed as follows:

(i) District 1: 500,000 cartons;

(ii) District 2: 500,000 cartons;

(iii) District 3: Unlimited movement;

(iv) District 4: Unlimited movement.

(2) All navel oranges handled during the period specified in this section are subject also to all applicable size restrictions which are in effect pursuant to this part during such period.

(3) As used in this section, "handled," "District 1," "District 2," "District 3," "District 4," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: March 3, 1960.

FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 60–2125; Filed, Mar. 4, 1960; 9:11 a.m.]

[Orange Reg. 370]

PART 933—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 933.1007 Orange Regulation 370.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the bases of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, including Temple oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, including Temple oranges, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on March 1, 1960, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of oranges, including Temple oranges, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the amended United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title; 22 F.R. 6676).

(2) During the period beginning at 12:01 a.m., e.s.t., March 7, 1960, and ending at 12:01 a.m., e.s.t., April 4, 1960, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any oranges, except Temple oranges, grown in the production area, which do not grade at least U.S. No. 1 Bronze; or

(ii) Any oranges, except Temple oranges, grown in the production area, which are of a size smaller than $2^{8}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title): *Provided,* That in determining the percentage of oranges in any lot which are smaller than $2^{8}/_{16}$ inches in diameter, such percentage shall be based only on those oranges in such lot which are of a size $2^{1}{}^{4}/_{16}$ inches in diameter or smaller.

(3) During the period beginning at 12:01 a.m., e.s.t., March 7, 1960, and ending at 12:01 a.m., e.s.t., July 31, 1960, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any Temple oranges, grown in the production area, which do not grade at least U.S. No. 2; or

(ii) Any Temple oranges, grown in the production area, which are of a size smaller than $2^{5}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of Temple oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title).

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: March 2, 1960.

FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 60–2080; Filed, Mar. 4, 1960; 8:52 a.m.]

[Grapefruit Reg. 322]

PART 933—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 933.1008 Grapefruit Regulation 322.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of all grapefruit, grown in the production area, are presently subject to regulation by

grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on March 1, 1960, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Grapefruit (§§ 51.750 to 51.790 of this title); and the term "mature" shall have the same meaning as set forth in section 601.16 Florida Statutes, Chapters 26492 and 28090, known as the Florida Citrus Code of 1949, as supplemented by section 601.17 (Chapters 25149 and 28090) and also by section 601.18, as amended June 22, 1955 (Chapter 29760).

(2) During the period beginning at 12:01 a.m., e.s.t., March 7, 1960, and ending at 12:01 a.m., e.s.t., April 4, 1960, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any seeded grapefruit, grown in the production area, which are not mature and do not grade at least U.S. No. 1 Bronze;

(ii) Any white seeded grapefruit, grown in the production area, which are smaller than $3^{15}/_{16}$ inches in diameter, measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in said United States Standards for Florida Grapefruit;

(iii) Any pink seeded grapefruit, grown in the production area, which are smaller than $3^{12}/_{16}$ inches in diameter, measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in said United States Standards for Florida Grapefruit;

(iv) Any seedless grapefruit, grown in the production area, which are not mature and do not grade at least U.S. No. 1: *Provided,* That such grapefruit may have discoloration to the extent permitted under the U.S. No. 2 Russet grade, and may have slightly rough texture caused only by speck type melanose; or

(v) Any seedless grapefruit, grown in the production area, which are smaller than $3^{9}/_{16}$ inches in diameter, measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in said United States Standards for Florida Grapefruit.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: March 2, 1960.

FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 60-2079; Filed, Mar. 4, 1960; 8:52 a.m.]

[Lemon Reg. 836]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 953.943 Lemon Regulation 836.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 23 F.R. 9053), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based become available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on March 2, 1960.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., March 6, 1960, and ending at 12:01 a.m., P.s.t., March 13, 1960, are hereby fixed as follows:

(i) District 1: 9,300 cartons;

(ii) District 2: 199,950 cartons;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: March 3, 1960.

FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 60-2126; Filed, Mar. 4, 1960; 9:11 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER E—VIRUSES, SERUMS, TOXINS, AND ANALOGOUS PRODUCTS; ORGANISMS AND VECTORS

PART 131—HANDLING OF ANTI-HOG-CHOLERA SERUM AND HOG-CHOLERA VIRUS

Subpart—Rules and Regulations of the Control Agency

MANNER OF CLASSIFYING WHOLESALERS

A notice of a proposed amendment to the rules and regulations of the Control

Agency was published in the FEDERAL REGISTER on November 7, 1959 (24 F.R. 9084), which notice afforded all interested parties opportunity to submit written data, views or arguments in connection with the proposed amendment.

After due consideration by the Control Agency of the data, views and arguments, including such proposed amendment set forth in the aforesaid notice, presented by interested parties in writing, and at the Control Agency meeting of December 15 and 16, 1959, the following amendment to the rules and regulations of the Control Agency is hereby promulgated by the Control Agency under the authority contained in Public Law 320, 74th Congress, approved August 24, 1935 (49 Stat. 781–782; 7 U.S.C. 851–855) to become effective 30 days after publication in the FEDERAL REGISTER.

The amendment is as follows:

Amend § 131.242 by inserting the words "No application for classification as a wholesaler shall be considered by the Control Agency until it has been on file in the Office of the Executive Secretary for at least sixty (60) days", immediately following the first sentence, so that the first paragraph of § 131.242 will read as follows:

§ 131.242 Manner of classifying wholesalers.

Any person not presently so classified who desires to be classified as a wholesaler must apply for such classification on a form prescribed by the Control Agency and must prove to the satisfaction of the Control Agency that he performs the functions required by § 131.8, or that he meets the requirements of § 131.8 as further defined by §§ 131.222 and 131.223. No application for classification shall be considered by the Control Agency until it has been on file in the Office of the Executive Secretary for at least sixty (60) days. The form of such application is as follows:

Dated this 8th day of February 1960.

CONTROL AGENCY,
E. A. CAHILL, Jr.,
Chairman.

[F.R. Doc. 60–2084; Filed, Mar. 4, 1960; 8:52 a.m.]

PART 131—HANDLING OF ANTI-HOG-CHOLERA SERUM AND HOG-CHOLERA VIRUS

Subpart—Rules and Regulations of the Control Agency

APPROVAL OF AMENDMENT

Pursuant to the provisions of the order, as amended, regulating the handling of anti-hog-cholera serum and hog-cholera virus (9 CFR Part 131), approval is hereby given to the amendment of the rules and regulations of the Control Agency, issued on February 8, 1960, by the Control Agency pursuant to the provisions of the aforesaid order.

The amendment was adopted by the Control Agency after notice of proposed amendment published in the FEDERAL REGISTER on November 7, 1959 (24 F.R. 9084), and due consideration of the data, views and arguments presented by interested parties in writing and at the Control Agency meeting of December 15, 1959. Copies of the rules and regulations, as amended, may be procured from the Control Agency, Office of the Executive Secretary, 512 Veterans of Foreign Wars Building, Kansas City 11, Missouri.

Done at Washington, D.C., this 2d day of March 1960.

M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 60–2083; Filed, Mar. 4, 1960; 8:52 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 298, Special Registration Reg. 1]

PART 501—AIRCRAFT REGISTRATION CERTIFICATES

Operation of Aircraft Pending Registration

In view of the imminent transfer of the Aircraft and Airman Records Branch from Washington, D.C., to Oklahoma City, functions of the Branch must necessarily be curtailed for a temporary period. In the interest of reducing inconvenience to aircraft owners, this special regulation is issued.

Pursuant to § 501.7 of the regulations of the Administrator (14 CFR 501.7), an applicant for registration of an aircraft may be granted interim authority to operate his aircraft without a registration certificate for the period pending registration or for a specified period, whichever is shorter. In many cases where such authority has been granted, the prescribed time limitations will expire during the period of the transfer of the Aircraft and Airman Records Branch. As a result, that Branch will be unable to act upon individual requests for extension of the specified period for operation of an aircraft. In order to permit owners of such aircraft to continue to operate their aircraft until the Branch is able to actively consider each case, this regulation provides for a blanket extension until June 1, 1960, or the date of the issuance of a registration certificate, of all such authorizations which have expiration dates on or after February 1, 1960.

Since a situation exists requiring the immediate adoption of this regulation in the public interest, I find that good cause exists for making the regulation effective without compliance with the notice, procedures and effective date provisions of the Administrative Procedure Act.

In consideration of the foregoing, the following special regulation is adopted.

All temporary authorizations to operate aircraft for specified periods granted applicants for registration under section 501.7 of the Regulations of the Administrator which expire on or after February 1, 1960, are hereby extended until an appropriate registration certificate for such aircraft is issued, or until June 1, 1960, whichever is shorter: *Provided,* That any authorization or extension thereof may be terminated at any time by action of the Administrator.

Effective date. This amendment shall become effective on publication in the FEDERAL REGISTER.

Issued in Washington, D.C., on February 29, 1960.

JAMES T. PYLE,
Acting Administrator.

[F.R. Doc. 60–2004; Filed, Mar. 4, 1960; 8:45 a.m.]

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 59–WA–138]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

Modification of Amendment; Change of Effective Date

On November 25, 1959, there was published in the FEDERAL REGISTER (24 F.R. 9465) Amendment No. 83 to Part 600. This amendment, to be effective March 10, 1960, modified VOR Federal airway No. 213 between Myrtle Beach, S.C., and Rocky Mount, N.C., concurrently with the commissioning of a VOR near Kinston, N.C.

The commissioning date of the Kinston VOR has been rescheduled. Therefore, it is necessary to postpone the effective date of the above-mentioned amendment until June 2, 1960.

Since this action does not impose a burden on the public, compliance with the notice, public procedure and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530), effective immediately Amendment 83 to Part 600 is hereby modified as follows:

Delete "effective 0001 e.s.t. March 10, 1960" and substitute therefor "effective 0001 e.s.t. June 2, 1960."

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60–2008; Filed, Mar. 4, 1960; 8:45 a.m.]

[Airspace Docket No. 59–WA–93]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Modification of Amendments; Change of Effective Date

On November 11, 1959, there was published in the FEDERAL REGISTER (24 F.R.

9189) Amendment No. 82 to Part 600 and Amendment No. 93 to Part 601. These amendments, to be effective March 10, 1960, extended VOR Federal airway No. 222, and its associated control areas from McComb, Miss., to Evergreen, Ala., concurrently with the commissioning of a VOR near Hattiesburg, Miss. In addition, the Hattiesburg VOR was designated as a reporting point.

The commissioning date of the Hattiesburg VOR has been rescheduled. Therefore, it is necessary to postpone the effective date of the above-mentioned amendments until May 5, 1960.

Since this action does not impose a burden on the public, compliance with the notice, public procedure and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530), effective immediately Amendment No. 82 to Part 600 and Amendment No. 93 to Part 601 are hereby modified as follows:

Delete "effective 0001 e.s.t. March 10, 1960" and substitute therefor "effective 0001 e.s.t. May 5, 1960."

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2005; Filed, Mar. 4, 1960; 8:45 a.m.]

[Airspace Docket No. 59-WA-94]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Modification of Amendments; Change of Effective Date

On November 11, 1959, there was published in the FEDERAL REGISTER (24 F.R. 9189) Amendment No. 94 to Part 600 and Amendment No. 106 to Part 601. These amendments, to be effective March 10, 1960, designated a new VOR Federal airway, Victor 455, and its associated control areas from New Orleans, La., to Meridian, Miss., concurrently with the commissioning of the Hattiesburg, Miss., VOR. Additionally, a west alternate is designated from Hattiesburg to Meridian.

The commissioning date of the Hattiesburg VOR has been rescheduled. Therefore, it is necessary to postpone the effective date of the above-mentioned amendments until May 5, 1960.

Since this action does not impose a burden on the public, compliance with the notice, public procedure and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530), effective immediately Amendment No. 94 to Part 600 and Amendment No. 106 to Part 601 are hereby modified as follows:

Delete "effective 0001 e.s.t. March 10, 1960" and substitute therefor "effective 0001 e.s.t. May 5, 1960."

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D. C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2006; Filed, Mar. 4, 1960; 8:45 a.m.]

[Airspace Docket No. 59-WA-101]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Modification of Amendments; Change of Effective Date

On November 20, 1959, there was published in the FEDERAL REGISTER (24 F.R. 9366) Amendment No. 81 to Part 600 and Amendment No. 92 to Part 601. These amendments, to be effective March 10, 1960, modified VOR Federal airway No. 454 and associated control area between Charlotte, N.C., and Lawrenceville, Va., concurrently with the commissioning of a VOR near Liberty, N.C. In addition, the Fort Mill, S.C., VOR and Liberty VOR were designated as reporting points, and the Charlotte, N.C., omnirange was revoked.

The commissioning date of the Liberty VOR has been rescheduled. Therefore, it is necessary to postpone the effective date of the above-mentioned amendments until June 30, 1960.

Since this action does not impose a burden on the public, compliance with the notice, public procedure and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530), effective immediately Amendment No. 81 to Part 600 and Amendment No. 92 to Part 601 are hereby modified as follows:

Delete "effective 0001 e.s.t. March 10, 1960." and substitute therefor "effective 0001 e.s.t. June 30, 1960."

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2007; Filed, Mar. 4, 1960; 8:45 a.m.]

[Airspace Docket No. 59-WA-194]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Modification of Amendments; Change of Effective Date

On February 2, 1960, there was published in the FEDERAL REGISTER (25 F.R. 860) Amendment No. 58 to Part 600 and Amendment No. 64 to Part 601. These amendments to be effective March 10, 1960, modified VOR Federal airways Nos. 170, 1500, 1502 and their associated control areas between Bradford, Pa., and Selinsgrove, Pa., concurrently with the commissioning of a VOR near Slate Run, Pa. In addition, a segment of Victor 1500 was designated from Pocatello, Idaho, to Sheridan, Wyo., via the Du Noir, Wyo., VOR.

The commissioning date of the Slate Run VOR has been rescheduled. Therefore, it is necessary to postpone the effective date on the above-mentioned amendments until June 2, 1960.

Since this action does not impose a burden on the public, compliance with the notice, public procedure and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530), effective immediately Amendment No. 58 to Part 600 and Amendment No. 64 to Part 601 are hereby modified as follows:

Delete "effective 0001 e.s.t. March 10, 1960" and substitute therefor "effective 0001 e.s.t. June 2, 1960."

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2009; Filed, Mar. 4, 1960; 8:45 a.m.]

[Airspace Docket No. 59-WA-211]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Modification of Amendments; Change of Effective Date

On February 2, 1960, there was published in the FEDERAL REGISTER (25 F.R. 861) Amendment No. 162 to Part 600 and Amendment No. 195 to Part 601. These amendments, to be effective March

10, 1960, modified VOR Federal airway No. 1508 and its associated control areas between Jefferson, Ohio, and Idlewild, N.Y., concurrently with the commissioning of a VOR near Thornhurst, Pa., and a VOR near Slate Run, Pa.

The commissioning date of both the Thornhurst and Slate Run VORs has been rescheduled. Therefore, it is necessary to postpone the effective date of the above-mentioned amendments until June 2, 1960.

Since this action does not impose a burden on the public, compliance with the notice, public procedure and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530), effective immediately Amendment No. 162 to Part 600 and Amendment No. 195 to Part 601 are hereby modified as follows:

Delete "effective 0001 e.s.t. March 10, 1960" and substitute therefor "effective 0001 e.s.t. June 2, 1960."

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2010; Filed, Mar. 4, 1960; 8:45 a.m.]

[Airspace Docket No. 59-WA-218]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Modification of Amendments; Change of Effective Date

On January 26, 1960, there was published in the FEDERAL REGISTER (25 F.R. 632) Amendment No. 169 to Part 600 and Amendment No. 197 to Part 601. These amendments, to be effective March 10, 1960, modified VOR Federal airway No. 162 and its associated control areas, between Harrisburg, Pa., and Clarksburg, W. Va., concurrently with the commissioning of a VOR near St. Thomas, Pa.

The commissioning date of the St. Thomas VOR has been rescheduled. Therefore, it is necessary to postpone the effective date of the above-mentioned amendments until May 5, 1960.

Since this action does not impose a burden on the public, compliance with the notice, public procedure and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530), effective immediately Amendment No. 169 to Part 600 and Amendment No. 197 to Part 601 are hereby modified as follows:

Delete "effective 0001 e.s.t. March 10, 1960" and substitute therefor "effective 0001 e.s.t. May 5, 1960."

(Secs 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2011; Filed, Mar. 4, 1960; 8:45 a.m.]

[Airspace Docket No. 59-WA-381]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Modification of Amendments; Change of Effective Date

On January 26, 1960, there was published in the FEDERAL REGISTER (25 F.R. 634) Amendment No. 106 to Part 600 and Amendment No. 127 to Part 601. These amendments, to be effective March 10, 1960, modified VOR Federal airways No. 58, 106, 147, 149, 164, 188, and 226, and their asociated control areas, concurrently with the commissioning of a VOR near Thornhurst, Pa. In addition, the Thornhurst VOR was designated as a reporting point and the Crystal Lake Intersection was revoked.

The commissioning date of the Thornhurst VOR has been rescheduled. Therefore, it is necessary to postpone the effective date of the above-mentioned amendments until June 2, 1960.

Since this action does not impose a burden on the public, compliance with the notice, public procedure and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530), effective immediately Amendment No. 106 to Part 600 and Amendment No. 127 to Part 601 are hereby modified as follows:

Delete "effective 0001 e.s.t., March 10, 1960" and substitute therefor "effective 0001 e.s.t., June 2, 1960."

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2012; Filed, Mar. 4, 1960; 8:45 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 211—INTERPRETATIVE RELEASES RELATING TO ACCOUNTING MATTERS (ACCOUNTING SERIES RELEASES)

Statement of Administrative Policy Regarding Balance Sheet Treatment of Credit Equivalent to Reduction in Income Taxes

§ 211.85 Statement of administrative policy regarding balance sheet treatment of credit equivalent to reduction in income taxes.

On December 30, 1958, in Securities Act Release No. 4010[1] the Commission gave notice of its intention to announce a statement of administrative policy regarding the balance sheet treatment, in financial statements filed with the Commission, of the credit equivalent to the reduction of income taxes arising from the deduction of costs for income tax purposes at a more rapid rate than for financial statement purposes. Comments and views thereon were submitted and oral presentation before the Commission was made by interested persons on April 8 and 10, 1959.

Under various statutes administered by it, the Commission has the authority and the corresponding responsibility to require that the financial statements filed with it be prepared in a manner which provides adequate and fair disclosure. This statement of policy is designed to advise all interested persons of the Commission's views as to the presentation in financial statements filed with the Commission of the credit arising when deferred tax accounting is employed. It pertains to the propriety of designating as earned surplus (or its equivalent) or in any manner as a part of equity capital, in financial statements filed with this Commission, the accumulated credit arising from accounting for reductions in income taxes for various items, including those under section 167 (liberalized depreciation) and section 168 (accelerated amortization of emergency facilities) of the Internal Revenue Code of 1954. It is not intended to direct or establish any system of accounts or to specify the manner in which a particular item shall be recorded on the books of the reporting companies, nor is it intended in any way to affect the requirements of any other governmental agency, federal or state, with re-

[1] This was also issued as Securities Exchange Act Release No. 5844; Holding Company Act Release No. 13894; and Investment Company Act Release No. 2814. It was also published in 24 F.R. 271 and bears Federal Register Document No. 59-243.

spect to the manner in which such books of account shall be kept.[3]

The problem arises from the deduction of costs for income tax purposes at a faster rate than for financial statement purposes where the difference is material. The amount of income tax payable for any period is affected by the amount of costs deducted in determining taxable income. In a year in which costs are deducted for tax purposes in amounts greater than those used for financial statement purposes, then, unless corrected, there is a failure properly to match costs and revenues in the financial statements by the amount of the tax effect of the cost differential. To correct the resultant distortion in periodic net income after taxes, it is therefore necessary to charge income in earlier years with an amount equal to the tax reduction and to return this amount to income in subsequent years when the amount charged for financial statement purposes exceeds the amount deducted for tax purposes.[3] It is our understanding that such deferred tax accounting is in accordance with generally accepted accounting principles.[4]

With specific reference to depreciation, since the total deduction allowed over the life of an asset is limited to its cost and hence is not affected by the method by which it is deducted from income, acceleration of tax deductions in earlier years results in deferring to later years the payment of taxes on an amount equivalent to the cost differential.[5] Because of the interrelationship between income taxes and depreciation, the Commission is of the view that in the earlier years the charge equivalent to the tax reduction should be treated either (1) as a provision for future taxes in the income statement with a corresponding credit in the balance sheet to a non-equity caption such as a deferred tax credit,[6] or (2) as additional depreciation in the income statement with a corresponding addition to the accumulated provision for depreciation in the balance sheet.[7] In the Commission's view it is improper to charge income with an item required for the proper determination of net income and concurrently to credit earned surplus.

A number of comments indicated that, should the Commission take the foregoing position, it should be limited to matters connected with depreciation and amortization or, if not so limited, any additional items embraced within this principle should be clearly specified. It is the Commission's view, however, that comparable recognition of tax deferment should be made in all cases in which there is a tax reduction resulting from deducting costs for tax purposes at faster rates than for financial statement purposes.[8]

The Committee on Accounting Procedure of the American Institute of Certified Public Accountants agrees with the position expressed above. Accounting Research Bulletin No. 44 (Revised) states, in connection with the deduction of depreciation for income tax purposes at a more rapid rate than for financial accounting purposes, that the accounting company should employ deferred tax accounting and that it is "alternatively appropriate, instead of crediting a deferred tax account, to recognize the related tax effect as additional amortization or depreciation applicable to such assets in recognition of the loss of future deductibility for income-tax purposes." A difference of opinion arose among certifying accountants whether the language of this bulletin permitted the deferred tax account to be classified as earned surplus restricted for future income taxes. To resolve the controversy, the Committee on Accounting Procedure sent a letter dated April 15, 1959, to all members of the Institute in which it clarified the bulletin on the point. The pertinent portion of the letter reads:

> Question has been raised with respect to the intent of the committee on accounting procedure in using the phrase "a deferred tax account" in Accounting Research Bulletin No. 44 (Revised), Declining-balance Depreciation, to indicate the account to be credited for the amount of the deferred income tax (see paragraphs 4 and 5).
>
> The committee used the phrase in its ordinary connotation of an account to be shown in the balance sheet as a liability or a deferred credit. A provision in recognition of the deferral of income taxes, being required for the proper determination of net income, should not at the same time result in a credit to earned surplus or to any other account included in the stockholders' equity section of the balance sheet.[9]

While some accounting firms that appeared before the Commission urged that it was appropriate to designate as a part of earned surplus the credit arising from deferred tax accounting despite the opinion of the Committee on Accounting

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[3] Representatives of companies subject to the jurisdiction of the Commission under the Public Utility Holding Company Act of 1935 as registered holding companies or subsidiary companies thereof have contended that this Commission has no power to prescribe the manner in which the accumulated credit arising from deferred tax accounting should be classified in the accounts of the company. In support of this contention, reference was made to section 20(b) of that Act. That section provides that "in the case of the accounts of any company whose methods of accounting are prescribed under the provisions of any law of the United States or of any State, the rules and regulations or orders of the Commission in respect of accounts shall not be inconsistent with the requirements imposed by such law or any rule or regulation thereunder; * * * " For reasons stated above, this contention misconceives the nature of the action herein taken.

In this connection the Commission today modified Rule 28 promulgated under the Public Utility Holding Company Act of 1935 (17 CFR 250.28) so as to conform the language of that rule with the policy here announced. Rule 28 provided, so far as is here pertinent, that no registered holding company or subsidiary thereof could publish financial statements inconsistent with its book accounts. The rule as modified provides, in effect, that a registered holding company or subsidiary thereof need not conform its published financial statements with its book accounts where such deviation is authorized or required by this Commission by rule, regulation, order, statement of administrative policy, or otherwise. (Holding Company Act Release No. 14172.)

[3] Since the deferral is made for the purpose of allocating to future periods the effect on income of the current tax reduction, it is not contemplated that the portion returned to income will exactly offset the increased tax to be paid in future years. The amount of additional taxes payable in future years may vary from the reduction obtained earlier because of changes in the tax rates or because of failure to earn taxable income corresponding to the tax reduction previously taken.

[4] Accounting Research Bulletins issued by the Committee on Accounting Procedure of the American Institute of Certified Public Accountants: No. 42, November 1952; No. 43, June 1953, Chs. 9c and 10b; No. 44, October 1949; No. 44 (Revised), July 1958.

An exception to this practice is stated in paragraph 8 of Accounting Research Bulletin No. 44 (Revised), which provides that: "Many regulatory authorities permit recognition of deferred income taxes for accounting and/or rate-making purposes, whereas some do not. The committee believes that they should permit the recognition of deferred income taxes for both purposes. However, where charges for deferred income taxes are not allowed for rate-making purposes, accounting recognition need not be given to the deferment of taxes if it may reasonably be expected that increased future income taxes, resulting from the earlier deduction of declining-balance depreciation for income-tax purposes only, will be allowed in future rate determinations."

It is the understanding of this Commission that the exception recognizes the position of those regulatory agencies which permit public utilities to deduct only the actual taxes payable in a given year, and the Commission raises no question as to the propriety of the exception.

[5] Where there is no difference between the amount of cost deducted for income taxes and the amount deducted for financial statement purposes, such as where declining-balance depreciation is taken both for tax and financial statement purposes, there is, of course, no occasion for deferred tax accounting.

[6] This would not prohibit companies from utilizing in financial statements filed with this Commission the balance sheet captions and classification of deferred taxes prescribed by the Federal Power Commission in its Orders Nos. 203 and 204, Dockets Nos. R-158 and R-159, respectively, issued May 29, 1958. Nor has there been called to the Commission's attention the provisions of any law of the United States or any rule or regulation thereunder prescribing methods of accounting which would prohibit any companies from following, in reports filed with us pursuant to the Securities Exchange Act of 1934, the balance sheet treatment set forth herein. See section 13(b) of that Act.

[7] In either case there should be an appropriate explanation with disclosure of the amounts involved.

[8] This is, of course, subject to the general qualification under our rules that the amounts in question are material. The term "material," when used to qualify a requirement for the furnishing of information as to any subject, unless the context of a provision in a form otherwise requires, limits the information required to those matters as to which an average prudent investor ought reasonably to be informed before buying or selling the security registered. (See the rules and regulations under certain of the pertinent Acts: 17 CFR 230.405; 17 CFR 240.12b-2; 17 CFR 270.8b-2).

[9] It may be noted that 18 of the 21 members of the Committee approved the letter. The three who did not merely dissented to the issuance at that time of any letter interpreting the bulletin.

Procedure, the Commission disagrees. Moreover, the fact that there may be some authoritative support for different methods of classifying this deferred tax account does not preclude the Commission from determining for the future the manner in which the item should be classified in financial statements filed with it. In fact, as enunciated by the Commission in Accounting Series Release No. 4, dated April 25, 1938, the question of authoritative support is pertinent only where the position of the Commission has not previously been published in official releases.[10]

Arguments have been advanced, particularly on behalf of public utility companies, to the effect that from analytical and rate-making viewpoints the treatment prescribed herein might have undesirable results upon investors and consumers. However, it is entirely appropriate that regulatory agencies treat the accumulated credit arising from deferred tax accounting in whatever manner they deem most relevant to their purposes.[11]

Some of the comments on Release No. 4010 questioned the authority of the Commission to deal with the subject of this release. But these comments apparently fail to recognize that a statement of administrative policy is merely an announcement of the manner in which the Commission intends to enforce the statutes which it administers. Publication of a statement of administrative policy such as this is in accord with long-established Commission practice expressed in Accounting Series Release No. 4, quoted above. Although the Commission is of the view that there is ample authority for it to adopt specific rules as to the form and content of financial statements filed with it with respect to the subject of this release,[12] it is, instead, hereby announcing that, since any requirement in the statutes it administers calling for the filing of financial statements contemplates that they not be misleading or inaccurate, the filing with it of such statement which do not conform to the policy expressed herein would require appropriate action to be taken by the Commission.[13]

For the foregoing reasons, on and after the effective date of this statement of administrative policy, any financial statement filed with this Commission which designates as earned surplus (or its equivalent) or in any manner as a part of equity capital (even though accompanied by words of limitation such as "restricted" or "appropriated") the accumulated credit arising from accounting for reductions in income taxes resulting from deducting costs for income tax purposes at a more rapid rate than for financial statement purposes will be presumed by the Commission to be misleading or inaccurate despite disclosure contained in the certificate of the accountant or in footnotes to the statements, provided the amounts involved are material.

This statement of administrative policy shall become effective on April 30, 1960.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

FEBRUARY 29, 1960.

[F.R. Doc. 60-2049; Filed, Mar. 4, 1960; 8:48 a.m.]

PART 250—GENERAL RULES AND REGULATIONS, PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

Inconsistent Financial Statements

The Securities and Exchange Commission today announced an amendment of Rule 28 (§ 250.28) of the general rules and regulations under the Public Utility Holding Company Act of 1935. Rule 28 provides that no registered holding company or subsidiary company thereof shall distribute to its security holders, or publish, financial statements which are inconsistent with the book accounts of such company or financial statements filed with this Commission by, or on behalf of, such company. The amendment will continue such requirement except as otherwise authorized or required by the Commission by rule, regulation, order, statement of administrative policy, or otherwise.

The Commission is of the opinion that under certain circumstances the public interest or the interest of investors does not require the financial statements of a company subject to the Act and published or distributed to its security holders to be consistent in all respects with the book accounts of such company.

The text of the Commission's action follows:

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Public Utility Holding Company Act of 1935, particularly sections 5(b)(2), 7(a), 10(a), 14, and 20(a) thereof, and deeming such action appropriate in the public interest and for the protection of investors, hereby amends Rule 28 of the general rules and regulations under the Public Utility Holding Company Act of 1935 by inserting the words "Except as otherwise authorized or required by the Commission by rule, regulation, order, statement of administrative policy, or otherwise," before the words "No registered holding company or subsidiary company thereof" and changing the word "No" appearing as the first word in the rule to read "no". This amendment of Rule 28 being in the nature of a modification of the substantive provisions of the rule and having the effect of relieving a restriction, the Commission finds that the preliminary notice and public procedure provided for in section 4(a) and section 4(b) of the Administrative Procedure Act are unnecessary and declares the amendment of Rule 28 effective immediately pursuant to section 4(c) of that Act.

The text of the rule as amended follows:

§ 250.28 Inconsistent financial statements.

Except as otherwise authorized or required by the Commission by rule, regulation, order, statement of administrative policy, or otherwise, no registered holding company or subsidiary company thereof shall distribute to its security holders, or publish, financial statements which are inconsistent with the book accounts of such company or financial statements filed with this Commission by, or on behalf of, such company. This section shall not be deemed to prevent the distribution or publication of reasonable condensations or of unaudited financial statements or of financial statements (on a cash or other basis) pursuant to the requirements of an indenture or mortgage given to secure bonds or similar instruments, or of appropriate financial statements of a receiver or trustee appointed by a court of the United States.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

FEBRUARY 29, 1960.

[F.R. Doc. 60-2050; Filed, Mar. 4, 1960; 8:49 a.m.]

[10] That release provided in pertinent part: "In cases where there is a difference of opinion between the Commission and the registrant as to the proper principles of accounting to be followed, disclosure will be accepted in lieu of correction of the financial statements themselves only if the points involved are such that there is substantial authoritative support for the practices followed by the registrant and the position of the Commission has not previously been expressed in rules, regulations, or other official releases of the Commission, including the published opinions of its chief accountant."

[11] So far as this Commission is concerned, since it believes that classifying the item as a component part of common stock equity is misleading for financial statement purposes, it does not intend to consider the item as a part of common stock equity for analytical purposes, although it may give consideration to the item as one of a number of relevant factors in appraising the overall financial condition of a company. The Commission, of course, does not have jurisdiction over rate-making, although under the Public Utility Holding Company Act of 1935 it is concerned with the interests of consumers. Alleged adverse results as to investors and consumers are no different from those complained of whenever any requirement designed to assure financial stability is imposed.

[12] See, e.g., section 19(a) and paragraphs 25 and 26 of Schedule A of the Securities Act of 1933; sections 12, 13, and 23 of the Securities Exchange Act of 1934; sections 5(b)(2), 7(a), 10(a), 14, and 20(a) of the Public Utility Holding Company Act of 1935; and sections 30 and 38 of the Investment Company Act of 1940.

[13] For example, in connection with applications filed under section 6(b) or declarations filed under section 7 of the Public Utility Holding Company Act of 1935, where the financial statements do not conform to the policy expressed herein, the Commission would presumably condition any order granting the application or permitting the declaration to become effective so as to require that such financial statements do so conform.

Title 18—CONSERVATION OF POWER

Chapter I—Federal Power Commission

SUBCHAPTER E—REGULATIONS UNDER NATURAL GAS ACT

[Docket No. R-179]

PART 154—RATE SCHEDULES AND TARIFFS

Suspended Rates of Independent Producers; Procedures To Make Effective at End of Suspension Period; Change of Interest Rate

MARCH 1, 1960.

The Commission has before it for consideration the amendment to § 154.102 (c) of Part 154, of Subchapter E, Regulations Under the Natural Gas Act, Chapter I of Title 18, Code of Federal Regulations, changing the amount of interest payable on amounts refunded pursuant to § 154.102(c) from 6 percent per annum to 7 percent per annum.

Section 4(e) of the Natural Gas Act which authorizes the Commission to suspend the operation of proposed changes in rates for a period not to exceed 5 months pending a proceeding on the lawfulness of the proposed charges, and which provides that, if upon the expiration of this period the proceeding has not been concluded, a rate may be put into effect upon the motion of the company proposing the change in rate; further provides in part, that—

> Where increased rates or charges are thus made effective, the Commission may, by order, require the natural-gas company to furnish a bond, to be approved by the Commission, to refund any amounts ordered by the Commission, to keep accurate accounts in detail of all amounts received by reason of such increase, specifying by whom and in whose behalf such amounts were paid, and, upon completion of the hearing and decision, may order such natural-gas company to refund, with interest, the portion of such increased rates or charges by its decision found not justified. * * *

The Natural Gas Act does not set forth the amount of interest which the Commission may require on the portion of increased rates and charges found not to be justified and which it may order to be refunded.

The Commission has determined that in view of the current cost of money now available for borrowing by natural gas companies, the interest payable on increased rates collected by both producers and pipeline companies subject to refund pursuant to the Act should be adjusted more in line with present commercial practices. The amendment herein adopted will effect that change with respect to independent producers. Concurrently with the issuance of this order a similar change will be made in the individual orders hereafter issued allowing the increased rates of pipeline companies to go into effect subject to refund.

The Commission finds:

(1) Although the amendment herein prescribed may be interpreted as a substantive amendment under section 4(a) of the Administrative Procedure Act, prior notice therefor is unnecessary since it imposes no burden upon the persons affected thereby that may not now be imposed upon them by ad hoc orders in every case in which a motion is made pursuant to section 4(e) of the Natural Gas Act to put a suspended rate into effect at the expiration of the period of suspension.

(2) The amendment herein adopted is necessary and appropriate to carry out the provisions of the Natural Gas Act.

The Commission, acting pursuant to the authority granted by the Natural Gas Act, particularly sections 4 and 16 thereof (52 Stat. 822, 830; 15 U.S.C. 717c, 717o), orders:

(A) Section 154.102(c) of Part 154 of Subchapter E, Regulations Under the Natural Gas Act, Chapter I of Title 18 of the Code of Federal Regulations, is amended to change the numeral "6" in the phrase therein reading, "together with interest thereon at the rate of 6 pecent per annum from the date of payment to the producer until refunded", to "7".

(B) Since, because of its nature and the facts set out in finding paragraph (1), above, this amendment is within the exception of section 4(c) of the Administrative Procedure Act, it shall be effective on the issuance of this order.

(C) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 60-2042; Filed, Mar. 4, 1960; 8:47 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Extension of Effective Date of Public Law 86-139 as It Affects Section 408 of the Federal Food, Drug, and Cosmetic Act

The Commissioner of Food and Drugs, pursuant to authority provided in Public Law 86-139 (73 Stat. 288, 7 U.S.C. 135 et seq.) and delegated to him by the Secretary of Health, Education, and Welfare (22 F.R. 1045, 23 F.R. 9500), hereby extends the effective date of Public Law 86-139 as it affects section 408 of the Federal Food, Drug, and Cosmetic Act for certain specified uses of certain specified nematocides, plant regulators, defoliants, or desiccants as set forth in the following new section:

§ 120.35 Extension of effective date of Public Law 86-139 as it affects section 408 of the Federal Food, Drug, and Cosmetic Act.

To permit additional data to be secured in support of petitions for tolerances or exemptions from the requirement of a tolerance for residues that remain from use of the pesticide chemicals listed in this section, to permit the Food and Drug Administration to process such petitions, and on the basis of available scientific data which indicate that no undue risk to the public health is involved and on the basis of a finding that conditions exist that make necessary the prescribing of an additional period of time for obtaining tolerances or for granting exemptions from tolerances, the following pesticide chemicals may be used in or on the specified raw agricultural commodities for the purpose specified, for a period of one year from March 6, 1960, or until regulations shall have been issued establishing tolerances or exemptions from the requirement of tolerances in accordance with section 408 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348(a)), whichever occurs first:

Product	Specified uses or restrictions
Calcium carbide to produce acetylene.	On pineapples to induce flowering.
Calcium cyanamide	On cotton to defoliate.
2,4-Dichlorophenoxy acetic acid.	On potatoes to intensify color.
Ethylene	On pineapples to induce flowering and on citrus fruit to bring out color.
Isopropyl (*N*(3-chlorophenyl) carbamate.	On potatoes to inhibit sprouting.
Maleic hydrazide	On potatoes and onions to inhibit sprouting: Residue limits on onions, 15 p.p.m.; on potatoes, 50, p.p.m.
Methyl ester naphthalene acetic acid.	On potatoes to inhibit sprouting.
Naphthalene acetamide	On apples to thin fruit and control fruit drop.
Naphthalene acetic acid [1]	Blossom spray for thinning fruit.
Sodium salt of α-naphthalene acetic acid.	On pineapples to induce flowering.
Sodium salt of β-naphthoxy acetic acid.	On pineapples to delay maturation.
2,3,5,6-Tetrachloronitrobenzene.	On potatoes to inhibit sprouting.
2,4,5-Trichlorophenoxy acetic acid.	On apples to thin fruit and control fruit drop.
2,4,5-Trichlorophenoxy propionic acid.	Do.

[1] A tolerance of 1 part per million has already been established for residues from Stop-Drop use on apples, pears, and quinces.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since extensions of time under certain conditions, for the effective date of the Nematacide, Plant Regulator, Defoliant, and Desiccant Amendment of 1959 were contemplated by the statute as a relief of restrictions on the agricultural industry.

Effective date. This order shall be effective on the date of publication in the FEDERAL REGISTER.

(Sec. 701(a), 52 Stat. 1055, as amended; 21 U.S.C. 371(a). Applies sec. 3(b), Public Law 86-139 (73 Stat. 288; 7 U.S.C. 135 et seq.))

Dated: February 29, 1960.

[SEAL] JOHN L. HARVEY,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 60-2043; Filed, Mar. 4, 1960; 8:47 a.m.]

PART 121—FOOD ADDITIVES

Subpart A—Definitions and Procedural and Interpretative Regulations

EXTENSION OF EFFECTIVE DATE OF STATUTE FOR CERTAIN SPECIFIED FOOD ADDITIVES

Correction

In F.R. Document 60-1763, appearing in the issue for Saturday, February 27, 1960, at page 1727, the items referred to in amendatory paragraph 1 (§ 121.86) should read as follows:

Product	Limits	Specified uses or restrictions
Annatto colorants	35 parts per million (based on annatto solids).	As coloring in foods.
Butylated hydroxyanisole and/or butylated hydroxytoluene.	0.001 percent (combined total)	As an antioxidant in dry mixes for making prepared foods.
Butylated hydroxyanisole and/or butylated hydroxytoluene, and/or propyl gallate.	0.005 percent (combined total)	As antioxidants in breakfast cereals.
Copper pyrophosphate	0.005 percent of copper in total daily ration.	In mineral mixtures used in concentrated animal feeds.
Cottonseed flour (cooked and partially defatted).	5 percent	In bakery products.
3,5-Diiodosalicylic acid	300 parts per million	In salt blocks for animal use.
Ethyl cellulose	35 percent by weight	In dry vitamin preparations for animal feed and human food use.
Fumaric acid	0.3 percent	In foods as an acidulent, flavoring, and leavening agent.
Polyoxyethylene (20) sorbitan monooleate.	0.1 percent	In frozen desserts (other than water ices), as an emulsifier.
Do	do	In imitation ice cream, as an emulsifier.
Do	0.05 percent	In pickles, as an emulsifier.
Do		As an emulsifier in flavored foods when used at rate not to exceed nine parts by weight per one part of flavor.
Polyoxyethylene (20) sorbitan monostearate.	0.475 percent	In cakes, as an emulsifier.
Do	0.45 percent	In cake icing, as an emulsifier.
Do	0.5 percent	In confectionery coating, as an emulsifier.
Do	0.2 percent	In sugar confectionery pan coatings, as an emulsifier.
Do	0.4 percent	In whipped topping, as an emulsifier.
Do		As an emulsifier in flavored foods when used at rate not to exceed nine parts by weight per one part of flavor.
Polyoxyethylene (20) sorbitan tristearate.	0.1 percent	In frozen desserts (other than water ices), as an emulsifier.
Do	do	In imitation ice cream, as an emulsifier.
Quinine sulfate	0.01 percent	As flavoring agent in carbonated beverages.
Sorbitan monostearate		As an emulsifier in flavored foods when used at rate not to exceed nine parts by weight per one part of flavor.
Sorbitan monostearate in combination with polyoxyethylene (20) sorbitan monostearate.	0.475 percent	In cakes, as an emulsifier.
Do	1.0 percent	In confectionery coating, as an emulsifier.
Do	0.4 percent	In whipped topping, as an emulsifier.

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER G—PERSONNEL

PART 888—GENERAL STANDARDS OF CONDUCT RELATING TO CONFLICT BETWEEN PRIVATE INTERESTS AND OFFICIAL DUTIES

Part 888 is revised to read as follows:

Sec.
888.1 Purpose and scope.
888.2 Statutory provisions.
888.3 Conflicts of interest.
888.4 Dealing with former military and civilian personnel.
888.5 Retired regular officers.
888.6 Reserve and National Guard personnel.
888.7 Affidavits.
888.8 Gratuities.
888.9 Prohibition of contributions or presents to superiors.
888.10 Use of military titles in connection with commercial enterprises.
888.11 Civil employment of military personnel.
888.12 Reporting suspected violations.

AUTHORITY: §§ 888.1 to 888.12 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012.
SOURCE: AFR 30-30, January 6, 1960.

§ 888.1 Purpose and scope.

(a) To prescribe the standards of conduct relating to conflict between private interests and official duties, required of all military and civilian Air Force personnel, regardless of assignment; and to, more specifically, set forth:

(1) Prohibitions against certain activities of present and former Air Force personnel, including retired officers, involving a conflict between private interests and official duties; and

(2) Rules against acceptance of gratuities by Air Force personnel.

(b) This part also contributes to the purpose described in subparagraph (a)(1) of this section, by insuring that personnel of the Air Force are not knowingly transacting business with persons who are within statutory prohibitions or under circumstances where there may be a possible conflict of interest between Governmental duties and private affairs. It is in consonance with the Code of Ethics for Government Service contained in House Concurrent Resolution 175, 85th Congress, which is applicable to all AF personnel.

(c) *House Concurrent Resolution 175, 85th Congress, 2d Session.*

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the following Code of Ethics should be adhered to by all Government employees, including officeholders:

Code of Ethics for Government Service

Any person in Government service should:

1. Put loyalty to the highest moral principles and to country above loyalty to persons, party, or Government department.
2. Uphold the Constitution, laws, and legal regulations of the United States and of all governments therein and never be a party to their evasion.
3. Give a full day's labor for a full day's pay; giving to the performance of his duties his earnest effort and best thought.
4. Seek to find and employ more efficient and economical ways of getting tasks accomplished.
5. Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not; and never accept, for himself or his family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of his governmental duties.
6. Make no private promises of any kind binding upon the duties of office, since a Government employee has no private word which can be binding on public duty.
7. Engage in no business with the Government, either directly or indirectly, which is inconsistent with the conscientious performance of his governmental duties.
8. Never use any information coming to him confidentially in the performance of governmental duties as a means for making private profit.
9. Expose corruption wherever discovered.
10. Uphold these principles, ever conscious that public office is a public trust.

§ 888.2 Statutory provisions.

(a) *Criminal statutes relating to AF personnel.* The following activities may subject AF personnel to criminal penalty under the statutes cited:

(1) Asking, accepting, or agreeing to receive as a bribe or graft, directly or indirectly, any money, contract, or other thing of value, either (i) with the intent to have any of their official decisions or actions influenced thereby, or (ii) for giving or procuring, or aiding to procure for any person, a Government contract (62 Stat. 691; 18 U.S.C. 202 and the first paragraph of 62 Stat. 694; 18 U.S.C. 216).

(2) Receiving or agreeing to receive, directly or indirectly, compensation for services rendered by themselves or another in relation to any proceeding, contract, or claim before any department or agency where the United States is directly or indirectly interested (62 Stat. 698, as amended; 18 U.S.C. 281).

(3) Acting as agent or attorney in prosecuting any claim against the Government or assisting in the prosecution of any such claim otherwise than in the proper discharge of official duties (62

Stat. 697, as amended; 18 U.S.C. 283).

(4) Transacting business as officers or agents of the United States with any corporation, firm, or partnership in the profits of which they are directly or indirectly interested (62 Stat. 703; 18 U.S.C. 434).

(5) Receiving from any source other than the Federal or any state, county, or municipal government any compensation in connection with their Government services (62 Stat. 793; 18 U.S.C. 1914). However, any Reserve ordered to active duty and any person inducted into the armed forces under the Universal Military Training and Service Act, who, before being ordered to active duty or inducted, was receiving compensation from any person may, while serving on active duty, receive compensation from that person (70A Stat. 80; 10 U.S.C. 1033; sec. 4(f), Universal Military Training and Service Act; sec. 4(f), 62 Stat. 608, as amended, 50 U.S.C. App. 454(f)).

(6) Soliciting, accepting, or offering to accept any commission, payment, or gift in connection with the procurement of equipment, materials, commodities, or services under the Mutual Security Act of 1954 in connection with which procurement such personnel are or were employed or performed duty or took any action during such employment (Sec. 512, Act of August 26, 1954; sec. 512, 68 Stat. 584; 22 U.S.C. 1764).

(b) *Statutes relating specifically to former personnel.* (1) It is unlawful for former personnel, within two years after their incumbency, to prosecute or to act as counsel, attorney, or agent for prosecuting any claim against the United States which involves any subject matter directly connected with which such persons were employed or performed duty (62 Stat. 698, as amended; 18 U.S.C. 284). The Attorney General has construed this statute to mean that every person who has been employed in any Government agency, including commissioned officers assigned to duty in such agency, is disqualified for a period of two years after such employment or service has ceased from representing in any manner or capacity any interest opposed to the United States in any matter with which such person was directly connected during the time he was in Government service. No distinction is to be drawn between monetary claims against the Government and nonmonetary claims, nor between affirmative claims and defensive claims. However, the Department of Justice has also advised that the statute was not designed to go beyond specific matters or cases upon which a person worked or concerning which he gained information while employed by the Government. Where a person acquires or expands his professional knowledge in some particular field while with the Government, he is entitled to use such professional knowledge in pursuing his livelihood after he leaves Government service so long as he does not, within the two-year period specified by the statute, employ such knowledge in connection with a specific matter with which he became directly connected while in Government service.

(2) Section 113 of the Renegotiation Act, as amended, prohibits any person who has been employed in the Department from prosecuting at any time any claim against the United States involving any subject matter directly connected with which such person was so employed (Sec. 113, Act of March 23, 1951, as amended; sec. 113, 65 Stat. 22, as amended; 50 U.S.C. App. 1223). Although this statute does not prescribe any criminal penalties for violation of this provision, it constitutes a Congressional policy that former personnel should not prosecute any such claims at any time.

(3) It is unlawful for former personnel, within two years after the termination of their employment to solicit, accept, or offer to accept any commission, payment, or gift in connection with the procurement of equipment, materials, commodities, or services under the Mutual Security Act of 1954 in connection with which procurement such former personnel were employed or performed duty or took any action during such employment as an officer or employee of the Government (Sec. 512, Act of August 26, 1954; 68 Stat. 854; 22 U.S.C. 1764).

(c) *Statutory provisions specifically applying to retired Regular officers.* (1) Regular retired officers are "officers of the United States" for the purpose of bringing them within the statutes cited in paragraph (a) of this section. However, 62 Stat. 703; 18 U.S.C. 434 relates to representing the Government in transacting business with a private concern, and 62 Stat. 793; 18 U.S.C. 1914 relates to receiving compensation from a private source in connection with services performed for the Government. Therefore, neither 18 U.S.C. 434 nor 18 U.S.C. 1914 applies to a Regular retired officer who is not representing or performing services for the United States. In addition, 62 Stat. 691; 18 U.S.C. 202 and the first paragraph of 62 Stat. 694; 18 U.S.C. 216 do not apply to Regular retired officers who are not representing or performing services for the United States. 62 Stat. 697, as amended; 18 U.S.C. 281 exempts retired officers not on active duty from its application, but it prohibits a Regular retired Air Force officer from representing any person in the sale of anything to the Government through the Department of the Air Force. 62 Stat. 697, as amended; 18 U.S.C. 283 exempts retired officers not on active duty from its application, but it prohibits a Regular retired Air Force officer from acting as agent or attorney for prosecuting or assisting in the prosecution of any claim against the Government, within two years after his retirement, involving the Department of the Air Force. It also prohibits a Regular retired officer from acting as agent or attorney from prosecuting or assisting in the prosecution of any claim against the Government, at any time, involving any subject matter with which he was directly connected while on active duty.

(2) Section 1309 of the Act of August 7, 1953 (67 Stat. 437; 5 U.S.C. 59c) prohibits payment from appropriated funds to any Regular retired officer for a period of two years after his retirement, who for himself or for others is engaged in the selling of or contracting for the sale of or negotiating for the sale of any supplies or war materials to any agency of the Department of Defense, the Coast Guard, the Coast and Geodetic Survey, or the Public Health Service. In 38 Comptroller General 470, the Comptroller General said, among other things, that this statutory prohibition applies to a Regular retired officer whose activities were calculated to induce a nonappropriated fund activity of a military department to purchase supplies from his employer, even though the mechanical act of negotiating or consummating the actual sale was done by some other agent of the retired officer's employer.

(d) *Reserve and National Guard officers.* A Reserve who is not on active duty, and a Reserve who is on active duty for training, is not considered to be an "officer of the United States" for the purposes of the foregoing statutes solely because of his Reserve status or because of his being on active duty for training. Membership in a Reserve component of the armed forces or in the National Guard does not, in itself, prevent a person from practicing his civilian profession or occupation before, or in connection with, any department (secs. 29 (c) and (d), Act of August 10, 1956; 70 Stat. 632, as amended; 5 U.S.C. 30r (c) and (d)).

(e) *Other related criminal statutes applicable to conflict of interests.* The following activities may subject present and former AF personnel to criminal penalties:

(1) Aiding, abetting, counseling, commanding, inducing, or procuring another to commit a crime under the criminal statutes cited in this section (62 Stat. 684; 18 U.S.C. 2).

(2) Concealing or failing to report to proper authorities the commission of a crime under any of the criminal statutes cited in this section, if such personnel know of the actual commission of the crime (62 Stat. 684; 18 U.S.C. 4).

(3) Conspiring with one or more other persons to commit a crime under any of the criminal statutes cited in this section, or to defraud the United States, if the person concerned does any act to effect the object of the conspiracy (62 Stat. 701; 18 U.S.C. 371).

§ 888.3 Conflicts of interest.

(a) *General.* All AF personnel are bound to refrain from any private business or professional activity which would place them in a position where there is a conflict between their private interests and the public interest of the United States and the Air Force. In addition, Air Force personnel will not engage in any private activity which makes possible the improper capitalization of information gained through an AF position. Even though a technical conflict of interest, as set forth in the statutes cited in § 888.2, may not exist, it is desirable to avoid the appearance of such a conflict from a public confidence point of view.

(b) *Disqualifying financial interest.* In any case where AF personnel have any financial interest in any business entity, or have arranged or are negotiating for

their subsequent employment by such entity, they are disqualified from representing the Air Force in dealings of any kind with such entity. Personnel charged with the administration of §§ 804.201 to 804.205 of this chapter, who own stock in or are officers of an insurance company, must scrupulously avoid negotiating with such company in respect to granting authorization to solicit sales. The same restriction will apply in the case of personnel having a financial interest in any other business enterprise which deals with AF personnel on an individual basis.

(c) *Disqualification procedure.* In any case where, in accordance with paragraph (b) of this section, AF personnel believe that they should be disqualified from taking action in a particular matter, they will so inform an appropriate superior and will thereupon be relieved of their duty and responsibility in that particular case. In addition, where a superior thinks any personnel responsible to him may have a disqualifying interest, he will discuss the matter with such personnel and, if he finds such an interest does exist, he will relieve the personnel of duty and responsibility in the particular case. In cases of disqualification under this section, the matter will be assigned for decision and action to someone else of equal or higher rank who clearly has no conflict of interest.

§ 888.4 Dealing with former military and civilian personnel.

Air Force personnel will not knowingly deal with military or civilian personnel, or former military or civilian personnel of the Government if such action would result in a violation of a statute or policy set forth in this Part. For example, AF personnel will not at any time knowingly deal with retired officers or with former personnel where such personnel are representing any person in the prosecution of any claim against the U.S. involving any subject matter with which such personnel were directly connected while with the AF.

§ 888.5 Retired regular officers.

(a) *Prosecution of claims.* Under the statutes cited in § 888.2, a retired regular AF officer may not, within two years of his retirement, act as an agent or attorney for prosecuting any claim against the Government, or assist in the prosecution of such a claim or receive any gratuity or any share of or interest in such claim in consideration for having assisted in the prosecution of such a claim, if such claim involves the Air Force. Nor may a retired officer at any time act as an agent or attorney for prosecuting any claim against the Government or assist in prosecution of such claim, or receive any gratuity or any share of or interest in such a claim in consideration for having assisted in the prosecution of such claim, if such claim involves any subject matter with which he was directly connected while on active duty.

(b) *Selling or contracting for sale.* Under the statutes cited in § 888.2, no retired regular AF officer will sell, contract for the sale of, or negotiate for the sale of anything to the AF. This prohibition extends beyond the mere bargaining which may precede the execution or the modification of a contract. It includes any activity in a representative capacity on behalf of the prospective contractor which is directed toward forming the basis of a contract with the Government. This Part should not be construed as prohibiting activities which are only remotely connected with contractual matters. It is not the intent of this Part to preclude a retired officer from accepting employment with private industry solely because his employer is a contractor with the Government.

§ 888.6 Reserve and National Guard personnel.

(a) Members of the Reserve components of the armed forces who are on active duty, other than for training, are "officers" or "employees" of the United States for the purpose of bringing them within the statutes cited in § 888.2(a). When members are released from active duty, they become former personnel for the purpose of bringing them within § 888.2(b).

(b) Members of the Reserve components, whether in the Ready, Standby, or Retired Reserve, who are not on active duty are not, solely because of their status as Reserves, considered to be officers of the United States for the purpose of bringing them within the statutes cited in § 888.2 (a) and (b).

(c) Receipt of retired pay by Reserves or former Reserves does not, in itself, make such personnel officers or employees, or former officers or employees, of the United States for the purpose of bringing them within the statutes cited in § 888.2 (a) and (b). Section 888.2(c) does not apply to retired Reserves.

(d) Reserves who are on active duty for training do not become officers or employees of the United States for the purpose of bringing them within the statutes cited in § 888.2 (a) and (b), solely because they are on active duty for training. While they are on active duty for training, however, Reserves are subject to the policies prescribed in this part. AF personnel who are responsible for assigning Reserves for training should make an effort to assign them when they are on active duty for training to duties in which they will not obtain information that could be used by them or their employers so as to give them an unfair advantage over their civilian competitors.

§ 888.7 Affidavits.

(a) *Obtaining affidavits.* All retired AF officers, and former personnel within two years after leaving the AF, seeking to do business with the AF are required to file an affidavit stating:

(1) Their former connection with the AF and the date of termination thereof;

(2) The subject matter of the business they are transacting and intend to transact with AF personnel, and whether their duties in their former connection with the AF related to the same subject matter;

(3) Whether they gave any personal attention to the matters under consideration or gained any personal knowledge of the facts thereof while connected with the Government.

(b) *Filing affidavit.* All affidavits prepared on AFPI Form 34 will be sent directly to the Commander, Air Materiel Command, Attn: MCPI, for processing. If, from the statements in such affidavit and from such other information as the Air Force may have in its possession, it appears that a violation of the policy or statutes as set forth in this part is not involved, the affiant will be given a statement to that effect. Where a clear violation of the policy or statutes as set forth in this part is involved, the affiant will be so advised.

§ 888.8 Gratuities.

Air Force personnel will not accept any favor or gratuity, directly or indirectly, from any person, firm, corporation, or other entity which has engaged in, is engaged in, or is endeavoring to engage in, procurement activities or business transactions of any sort with the AF, where such favor or gratuity might influence, or might reasonably be interpreted as influencing, the impartiality of such personnel.

§ 888.9 Prohibition of contributions or presents to superiors.

No officer, clerk, or employee in the United States Government employ shall at any time solicit contributions from other officers, clerks, or employees in the Government service for a gift or present to those in a superior official position; nor shall any such officials or clerical superiors receive any gift or present offered or presented to them as a contribution from persons in Government employ receiving a less salary than themselves; nor shall any officer or clerk make any donation as a gift or present to any official superior. Every person who violates this section shall be summarily discharged from the Government employ (R.S. 1784; 5 U.S.C. 113).

§ 888.10 Use of military titles in connection with commercial enterprises.

(a) All military personnel on active duty, officer and enlisted, are prohibited from using their military or position titles in connection with any commercial enterprises. For the purpose of this Part the term "commercial enterprise" includes any organization other than a nonprofit or charitable organization which is exempt from Federal income taxation because it comes within subsection (1), (3), (4), (6), (7), (8), (9), (10), (11), (13), or (14) of section 501(c) of the Internal Revenue Code of 1954, as amended (68A Stat. 163, as amended; 26 U.S.C. 501). No member on extended active duty will use his military title or position title in connection with any organization unless he first determines from the organization involved that it is exempt from taxation under one of the above subsections of the Internal Revenue Code. Any member who desires to request an exception to the foregoing limitation will address his request through channels to the Secretary of the Air Force, setting forth detailed information concerning the organization involved.

(b) Authorship of any material for publication is exempt from the limitation in paragraph (a) of this section, subject to existing regulations.

(c) Retired personnel of both the Regular and Reserve components, officer and

enlisted, who are not on active duty may use their military titles in connection with commercial enterprises.

(d) Reserve component personnel, officer and enlisted, who are not on active duty may use their military titles in connection with commercial enterprises.

(e) Reserve and retired members and former members who are not on active duty will not use their military titles in oversea areas in connection with public appearances without obtaining the prior approval of the theater commander.

(f) When a Reserve or retired member or former member uses his military title in accordance with paragraphs (c) to (e) of this section, his title must show that he is a Reserve or is in a retired status, or both, as applicable.

§ 888.11 Civil employment of military personnel.

(a) No commissioned officer of the Regular AF may be: (1) Employed on civil works or internal improvements; (2) allowed to be employed by an incorporated company; or (3) employed as acting paymaster or disbursing agent of the Bureau of Indian Affairs; if that employment requires him to be separated from his unit or organization, or interferes with the performance of his military duties (70A Stat. 527; 10 U.S.C. 8544).

(b) No enlisted member of the AF on active duty may be ordered or permitted to leave his post to engage in a civilian pursuit or business, or a performance in civil life, for emolument, hire, or otherwise, if the pursuit, business, or performance interferes with the customary or regular employment of local civilians in their art, trade, or profession (70A Stat. 532; 10 U.S.C. 8635).

(c) Military personnel on active duty will not represent any insurance company in the solicitation of commercial life insurance on a military installation.

§ 888.12 Reporting suspected violations.

Any person who has information which causes him to suspect that there has been a violation of a policy or statute set forth in this part will promptly report it to the appropriate commander in accordance with the procedures prescribed in AFR 124–8.

[SEAL] CHARLES M. MCDERMOTT,
Colonel, U.S. Air Force, Deputy Director of Administrative Services.

[F.R. Doc. 60–2003; Filed, Mar. 4, 1960; 8:45 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 7—SPECIAL REGULATIONS RELATING TO PARKS AND MONUMENTS

Fishing; Entrance Roads; Speed; Commercial Automobiles and Buses

On page 7405 of the FEDERAL REGISTER of September 15, 1959, there was published a notice and text of a proposed amendment of § 7.11 of Title 36, Code of Federal Regulations. The purpose of the amendment is to establish a suitable management program for the waters of the Park in the interest of fish conservation and as protection to domestic water supplies and to combine, for the purpose of consistency in arrangement, all paragraphs relating to fishing in one paragraph; to revoke paragraph (d) *Entrance roads,* this being adequately covered by the National Park Service general rules and regulations.

Interested persons were given 30 days within which to submit written comments, suggestions or objections with respect to the proposed amendment. No comments, suggestions or objections have been received. This section is further amended by deleting paragraph (e) *Speed* and paragraph (f) *Commercial automobiles and buses;* these being adequately covered in the National Park Service general rules and regulations; and is adopted as set forth below.

This amendment shall become effective upon publication in the FEDERAL REGISTER at the beginning of the 30th calendar day following the date of such publication.

EDWARD D. FREELAND,
Superintendent.

Section 7.11 is amended as follows:

1. Paragraph (a) is amended to read as follows:

(a) *Fishing*—(1) *Open season.* The open season for fishing shall conform to that of the State of California for the adjoining counties of Lassen, Plumas, Shasta and Tehama, except that Grassy Creek (also known as "Horseshoe Creek"), connecting Horseshoe Lake and Snag Lake, shall be closed to fishing between October 31 and June 15.

(2) *Closed waters.* The following waters of the Park are closed to fishing:

Emerald Lake
Manzanita Creek above Manzanita Lake
Manzanita Lake within 150 feet of the inlet of Manzanita Creek.

(3) *Limit of catch and in possession.* (i) The number of trout which may be taken or held in possession by any one person in any one day shall not exceed 10 trout, or 10 pounds and 1 trout, except in Manzanita Lake and Reflection Lake where the daily catch and possession limit shall be 5 trout or 5 pounds and 1 trout.

(ii) The daily catch and possession limit for bullheads (catfish) shall conform to that limit established by the State of California.

(4) *Size limit.* Trout of any size may be retained as part of limit of catch. Any fish not retained as a part of the limit of catch shall be carefully handled with moist hands and immediately returned to the water.

2. Paragraphs (b), (c), (d), (e) and (f) are revoked.

[F.R. Doc. 60–2066; Filed, Mar. 4, 1960; 8:50 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 43—MAIL DEPOSIT AND COLLECTION

PART 45—CITY DELIVERY

PART 94—HIGHWAY TRANSPORTATION

PART 96—AIR TRANSPORTATION

Miscellaneous Amendments

The regulations of the Post Office Department are amended as follows:

I. In § 43.2 *Ordinary deposit of mail,* paragraph (b) is amended to include information about the location of street letter collection boxes at non-city delivery offices. As so amended, paragraph (b) reads as follows:

§ 43.2 Ordinary deposit of mail.

* * * * *

(b) *Collection boxes.* Collection boxes for the deposit of mail are placed at convenient points in areas served by city carriers. At noncity delivery offices, collection boxes are located in front of the post office quarters. Schedules are posted on these boxes showing collection times.

NOTE: The corresponding Postal Manual Section is 153.22.

(R.S. 161, as amended, 396, as amended, 3868, sec. 1, 24 Stat. 569, as amended, 5 U.S.C. 22, 369, 39 U.S.C. 155, 156)

II. In § 45.4 *Mail receptacles,* paragraph (b) is amended to permit patrons to install door slots that are larger than 1½ by 7 inches. As so amended, paragraph (b) reads as follows:

§ 45.4 Mail receptacles.

* * * * *

(b) *Door slot specifications.* The clear rectangular opening in the outside slot plate must be at least 1½ inches wide, and 7 inches long. The slot must have a flap, hinged at the top if placed horizontally, and hinged on the side away from the hinge side of the door if placed vertically. When a hooded plate is used inside to provide greater privacy, the bottom line of the hooded portion must not be more than ¾ inch below the bottom line of the slot in the outside plate, if placed horizontally, or more than ¾ inch beyond the side line of the slot in the outside plate nearest the hinge edge of the door, if placed vertically. The hood at its greatest projection must not be less than 2 1/16 inches beyond the inside face of the door. Door slots must be placed not less than 30 inches above the finish floor line.

NOTE: The corresponding Postal Manual Section is 155.42.

(R.S. 161, as amended, 396, as amended, 3868, sec. 1, 24 Stat. 355, sec. 1, 24 Stat. 569, as amended; 5 U.S.C. 22, 369, 39 U.S.C. 151, 155, 156)

III. In Part 94—Highway Transportation, as published in Federal Register Document 59–10519, 24 F.R. 10034–10055, make the following changes:

A. In § 94.3 *Contracts,* subdivision (ii) of paragraph (c) (7) is amended as a result of a change in the regulations re-

garding the time limitations in awarding contracts after expiration of the advertisement. As so amended, subdivision (ii) of paragraph (c)(7) reads as follows:

§ 94.3 Contracts.

* * * * *

(c) * * *

(7) * * *

(ii) The Post Office Department may award a contract at any time within 60 days after expiration of the advertisement. However, when service to be superseded cannot be terminated within the 60-day period after closing bids, an additional 60-day period during which the contract may be awarded is authorized if the bidder and his sureties so consent in writing. This consent may be withdrawn by the bidder at any time prior to award of the contract.

B. In § 94.7 *Records and reports,* paragraph (b) is amended for the purpose of clarification to read as follows:

§ 94.7 Records and reports.

* * * * *

(b) *Recurring reports.* Postmasters and other installation heads designated to report star route performance shall, from data recorded on Form 5399, complete Form 5400, "Report of Service on Star Route," immediately after the close of each accounting period and forward directly to the proper transportation planning and procurement officer. Only irregularities that might affect contractor's pay shall be listed on Form 5400, such as additional trips, detours, and omitted service. If two or more forms are to be submitted, enclose in envelope. Single reports must not be enclosed in envelopes.

NOTE: The corresponding Postal Manual Sections are 521.337b and 521.72.

(R.S. 161, as amended, 396, as amended, 3944, as amended, 3945, as amended, 3949, as amended, 3951, as amended, 3955, as amended, 3956, as amended, 3964, as amended, 3965, 3966, 3975, as amended; sec. 7, 39 Stat. 161, P.L. 85-392, 72 Stat. 103; 5 U.S.C. 22, 369, 39 U.S.C. 422a, 425, 426, 429, 433-436, 481, 483, 484, 493)

IV. In Part 96—Air Transportation, as published in Federal Register Document 59-10519, 24 F.R. 10034-10055, make the following changes:

A. In § 96.4 *Reports,* subparagraph (6) of paragraph (b) is amended by adding "in the region concerned" to the first sentence therein. As so amended, subparagraph (6) reads as follows:

§ 96.4 Reports.

* * * * *

(b) *One-way trip report.* * * *

(6) The air carrier must submit Form 2702 promptly to the designated distribution and traffic manager, Post Office Department, in the region concerned. In any event the form must be submitted within 14 days after the completion of a trip. The original and triplicate copy of Form 2702 for Alaskan routes must be forwarded to the distribution and traffic manager, Seattle, Washington.

§ 96.5 [Amendment]

B. In § 96.5 *Submission of claims,* the chart in paragraph (e)(1) is amended by changing the mailing address of region number 4 to read "Regional Controller, Post Office Department, P.O. Box 1999, Cincinnati, Ohio".

C. In § 96.23 *Form 2753-a, mail delivery receipt,* paragraph (a) is amended to extend the use of Form 2753-a when the volume of mail at air stop post offices justifies it. As so amended, paragraph (a) reads as follows:

§ 96.23 Form 2753-a, mail delivery receipt.

(a) *Description.* Form 2753-a is a receipt for mail delivered to airport mail facilities. When the volume of mail justifies, distribution and traffic managers may authorize postmasters at air stop post offices to use Form 2753-a, instead of Form 2753. Form 2753-a is not used for mail that is delivered with Form 2734. (See § 96.21.)

D. In § 96.24 *Form 2759, Report of irregular handling of airmail,* paragraph (b) is amended to identify all types of irregularities reported on Form 2759. As so amended, paragraph (b) reads as follows:

§ 96.24 Form 2759, report of irregular handling of airmail.

* * * * *

(b) *Preparation.* Postal employees must prepare Form 2759 immediately to report any air carrier irregularities in handling mail or mail equipment involving refused, removed in error, loaded in error, failed to load, not transferred, carried by, delayed delivery, damages, including weather damage, or other irregularity requiring remedial action. When mail is damaged by inclement weather, report only those bags and outside pieces actually wet or otherwise damaged.

NOTE: The corresponding Postal Manual Sections are 531.62f, 531.751, 533.51, and 533.62.

(R.S. 161, as amended, 396, as amended, sec. 5, 43 Stat. 806, sec. 1, 62 Stat. 1097, sec. 405, 72 Stat. 760; 5 U.S.C. 22, 369, 39 U.S.C. 465, 475, 49 U.S.C. 1375)

[SEAL] HERBERT B. WARBURTON,
General Counsel.

[F.R. Doc. 60-2067; Filed, Mar. 4, 1960; 8:50 a.m.]

PART 168—DIRECTORY OF INTERNATIONAL MAIL

International Mail Regulations

In Part 168—Directory of International Mail, as published in the FEDERAL REGISTER of March 20, 1959, at pages 2117-2195, make the following corrections to the cross references therein, as a result of the recodification of Parts 100 through 167 of this chapter.

I. Section 168.1 *Postal union mail,* as amended by the Federal Register Document 59-4137, 24 F.R. 3990-3991, Federal Register Document 59-7459, 24 F.R. 7249, is further amended as follows:

A. The parenthetical phrase immediately following the caption heading is amended to read as follows:

(See Subchapter L—Postal Union Mail—for detailed information as to mailing conditions.)

B. In paragraph (a) make the following changes:

1. In that part of paragraph (a) which precedes the rate table strike out "Part 121" and insert in lieu thereof "Part 131".

2. In the rate table make the following changes in the parenthetical references as they appear therein.

Change § 111.2(a) to § 112.1.
Change § 111.2(b) to § 112.2.
Change § 111.2(d) to § 112.4.
Change § 111.2(d)(1)(i) and (ii) to § 112.4(a)(1)(i).
Change § 111.2(d)(1)(i)(b) to § 112.4(a)(1)((ii).
Change § 111.2(e) to § 112.5.
Change § 111.2(f) to § 112.6.
Change § 111.2(c) to § 112.3.
Change § 111.2(g) to § 112.7.
Change § 111.2(h)(5) to § 112.8(e).

3. In subdivision (v) of subparagraph (1) strike out the reference to "§ 111.2(d)(1)(i)(b)" and insert in lieu thereof "§ 112.4(a)(1)(ii)(a)."

II. In § 168.3 *Special delivery,* the last sentence therein is amended to read "For further information see Part 135 of this chapter."

III. In § 168.4 *Special handling,* the last sentence therein is amended to read "For further information see Part 136 of this chapter." In the same section the following amendments also are made:

A. In each country containing the items listed below, make the following reference corrections:

1. Under Postal Union Mail, the item *Letter packages containing dutiable merchandise* is amended by striking out "§ 111.2(a)(5) and § 111.1(d)(2)(iv)" where they appear therein, and inserting respectively in lieu thereof "§ 111.1(e) and § 111.3(b)(5)".

2. Under Postal Union Mail, the item *Registration* is amended by striking out "§ 122.7(a)" where it appears therein, and inserting in lieu thereof "§ 132.6(a)".

3. Under Parcel Post, the item *Insurance* is amended by striking out "Part 123" where it appears therein, and inserting in lieu thereof "Part 133".

B. In each of the countries listed below, under Postal Union Mail the item *Eight-ounce merchandise packages* is amended by striking out "§ 111.2(h)" where it appears therein and inserting in lieu thereof "112.8 of this chapter."

Canada.
Chile.
Colombia.
Cuba.
Guatemala.
Haiti.
Panama.
Paraguay.
Peru.

C. In each of the countries listed below, under Postal Union Mail, the item *Observations* is amended by striking out "§ 111.2(i)(1)(i)" where it appears therein and insert in lieu thereof "§ 112.9(a) of this chapter."

Austria.
Bolivia.
Brazil.
British Guiana.
British Honduras.
Bulgaria.
Canada.
Colombia.
Denmark.
Dominican Rep.
Faroe Islands.
Greenland.
Haiti.
Honduras.
Iceland.
Jamaica.
Mexico.
Nicaragua.
Norway.
Panama.
Philippines.
Poland.
Rumania.
Salvador.
Sweden.
Turks Islands.

D. In each of the countries listed below, under Parcel Post, the item *Observations* is amended by striking out "Part 127" where it appears therein and inserting in lieu thereof "Part 137 of this chapter."

Argentina.	Mexico.
Bolivia.	Nicaragua.
Brazil.	Panama.
Chile.	Paraguay.
Costa Rica.	Peru.
Dominican Rep.	Salvador.
Ecuador.	Spain.
Guatemala.	Spanish Guinea.
Haiti.	Uruguay.
Honduras.	Venezuela.

E. In country "Canada", under Parcel Post, the item *Prohibitions* is amended by striking out "§ 112.2(a) (2) (vi)" where it appears in the paragraph with respect to eggs for hatching, and insert in lieu thereof "§ 121.2(a) (2) (v) of this chapter."

F. In the country "Cape Verde Islands", under Parcel Post, the item *Registration and insurance* is amended by striking out "see Parts 122 and 123" where it appears in the last paragraph therein, and inserting in lieu thereof "Parts 132 and 133 of this chapter."

G. In the country "Cuba", under Parcel Post, the item *Indemnity* is amended by striking out "§ 152.2(b) (2)" and inserting in lieu thereof "§ 162.2 (b) (2) of this chapter."

H. In the country "Great Britain and Northern Ireland", make the following changes:

1. Under Postal Union Mail, the item *Prohibitions and import restrictions* is amended by striking out "§ 111.2(f) (7) (ii) (b)" where it appears in the second paragraph therein, and insert in lieu thereof "§ 112.6(g) (2) of this chapter."

2. Under Parcel Post, the item *Prohibitions* is amended by striking out "§112.2 (a) (2) (iii)" where it appears in the last paragraph therein, and inserting in lieu thereof "§ 121.2(a) (2) (ii) of this chapter."

I. In the country "Italy", under Postal Union Mail, the item *Observations* is amended by striking out the parenthetical phase "(see § 111.1(e))" and inserting in lieu thereof "(see § 111.4(a) of this chapter)."

J. In the country "Japan", under Postal Union Mail, the item *Observations* is amended by striking out "§ 111.1(e) and § 111.1(d) (2) (iv)" where they appear therein, and inserting in lieu thereof "§ 111.4(a) and § 111.3(b) (5)" respectively.

K. In the country "Portuguese West Africa", under Parcel Post, the item *Registration and insurance* is amended by striking out "Parts 122 and 123" where it appears in the last paragraph therein, and inserting in lieu thereof "Parts 132 and 133 of this chapter."

L. In the country "Union of Soviet Socialist Republics", under Postal Union Mail, the item *Observations* is amended by striking out the parenthetical phrase "(see § 111.2(a) (5))" where it appears in the last paragraph therein, and inserting in lieu thereof "(see § 112.1(e) of this chapter)."

(R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372)

[SEAL] HERBERT B. WARBURTON,
General Counsel.

[F.R. Doc. 60-2068; Filed, Mar. 4, 1960; 8:51 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 2060]

[New Mexico 038329]

NEW MEXICO

Partially Revoking Executive Orders of February 18, 1870 and March 26, 1881, Which Reserved Certain Lands for Fort Wingate Military Reservation; Amending Executive Order No. 4208 of April 20, 1925

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Executive orders of February 18, 1870 and March 26, 1881, reserving certain lands for the Fort Wingate Military Reservation, are hereby revoked so far as they affect the following described lands:

NEW MEXICO PRINCIPAL MERIDIAN

Beginning at a point on the eastern boundary of the Fort Wingate Military Reservation; said point being the intersecting point of the eastern boundary of the Fort Wingate Military Reservation and the north boundary of Township 14 North, Range 15 West of the New Mexico Principal Meridian; said point being located approximately 3455.1 feet west along said meridian line from the southeast corner of Sec. 32, T. 15 N., R. 15 W.; thence in a southerly direction along the west section lines of fractional Sections 5, 8, 17, 20, 29, and 32, a distance of approximately 31,680 feet to the southwest corner of Lot 4, Section 32, T. 14 N., R. 15 W.; thence in an easterly direction approximately 300 feet to a point; thence in a southerly direction a distance of approximately 17,166 feet to the southeast corner of the Fort Wingate Military Reservation; thence in a westerly direction along the south boundary of the Fort Wingate Military Reservation, a distance of approximately 53,236 feet to the southwest corner thereof; thence in a northerly direction along the west boundary of the Reservation, a distance of approximately 15,532 feet to the southwest corner of the Wingate Ordnance Depot, as established by Public Land Order No. 999, dated August 25, 1954; thence in an easterly direction along the south boundary of the Wingate Ordnance Depot, a distance of approximately 15,177 feet to the southeast corner thereof; thence in a northerly direction along the east boundary of the Wingate Ordnance Depot, a distance of approximately 17,160 feet to a point on the south line of a tract of land transferred to the Department of the Interior, Bureau of Indian Affairs, pursuant to Public Law 567—81st Congress; thence easterly along the south boundary of said tract of land a distance of approximately 22,000 feet to the probable quarter corner common to Sections 14 and 23 in unsurveyed T. 14 N., R. 16 W.; thence in a northerly direction, a distance of approximately 15,840 feet to the probable quarter corner common to Section 2, T. 14 N., R. 16 W., and Section 35, T. 15 N., R. 16 W.; thence in an easterly direction along the south line of a tract of land transferred to the Department of the Interior, Bureau of Indian Affairs, a distance of approximately 15,840 feet to the point of beginning.

The lands described aggregate approximately 30,183 acres.

The following described lands are privately owned lands:

NEW MEXICO PRINCIPAL MERIDIAN

T. 13 N., R. 15 W.,
Sec. 7, NW¼SE¼NE¼, N½SW¼NE¼, SW¼SW¼NE¼, SE¼NW¼, S½SW¼NW¼, and SW¼.
T. 13 N., R. 16 W.,
Sec. 1, S½N½ and S½;
Sec. 3, E½SE¼SE¼;
Sec. 5, SE¼NE¼ and E½SE¼;
Sec. 9, NW¼NE¼, W½SW¼NE¼, E½NW¼, and SE¼
Sec. 13, SW¼NW¼NE¼, NW¼SW¼NE¼, S½NE¼NW¼, W½NW¼NW¼, SE¼NW¼NW¼, SW¼NW¼, N½SE¼NW¼, SW¼SE¼NW¼, W½SW¼, W½NE¼SW¼, W½SE¼SW¼, and SE¼SE¼SW¼;
Sec. 15, W½.

The areas described aggregate 1,770 acres.

Executive Order No. 4208 of April 20, 1925, establishing the Zuni District of the Manzano National Forest, is hereby amended by deleting the final three paragraphs thereof pertaining to joint administration of the Zuni District with the War Department.

The lands are now a part of the Cibola National Forest and shall hereafter be subject to the laws, rules, and regulations applicable to such national forest. At 10:00 a.m., on April 6, 1960, they shall become subject to such forms of disposition as may by law be made of national forest lands.

ROGER ERNST,
Assistant Secretary of the Interior.

MARCH 1, 1960.

[F.R. Doc. 60-2045; Filed, Mar. 4, 1960; 8:48 a.m.]

[Public Land Order 2061]

[Utah 034605]

UTAH

Withdrawing Lands for Preservation of Recreational and Scientific Features

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Utah are hereby withdrawn from all forms of appropriation under the public land laws including the mining but not the mineral leasing laws nor disposals of materials under the act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601-604), as amended, nor lease or sale to the State of Utah or any political subdivision thereof under authority of the act of June 14, 1926 (44

Stat. 741), as amended by the act of June 4, 1954 (68 Stat. 173; 43 U.S.C. 869), or State exchanges under section 8 of the act of June 28, 1934 (43 Stat. 1272), as amended by the act of June 26, 1936 (49 Stat. 1976; 43 U.S.C. 315g), and reserved under jurisdiction of the Bureau of Land Management, Department of the Interior, for protection of natural resources, the preservation, protection, care, and development of the recreational values thereof, and the preservation of objects of historical and scientific interest thereon:

SALT LAKE MERIDIAN

T. 34 S., R. 6 E., unsurveyed,
Secs. 34 and 35.
T. 35 S., R. 6 E., unsurveyed,
Secs. 1 and 3.

The areas described aggregate approximately 2,560 acres.

ROGER ERNST,
Assistant Secretary of the Interior.

MARCH 1, 1960.

[F.R. Doc. 60-2046; Filed, Mar. 4, 1960; 8:48 a.m.]

[Public Land Order 2062]

[57594]

ALASKA

Revoking Public Land Order No. 808 of February 27, 1952, Which Withdrew Lands for Townsite Purposes

By virtue of the authority vested in the President by Section 2380 of the Revised Statutes (43 U.S.C. 711), and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Public Land Order No. 808 of February 27, 1952, which withdrew the following-described lands in Alaska for townsite purposes, is hereby revoked:

FAIRBANKS MERIDIAN

T. 10 S., R. 10 E.,
Sec. 11, lots 8, 10, and S½SE¼;
Sec. 12, S½SW¼;
Sec. 13, W½;
Sec. 14, lots 1, 2, 3, 4, 5, 7, 8, NE¼, NW¼ SE¼, and E½SE¼;
Sec. 23, lots 1, 2, 3, 5, to 12 incl., NE¼NE¼, SE¼SW¼, and SE¼SE¼;
Sec. 24, lots 1, 2, 7, 8, N½NW¼, and SE¼-NW¼;
Sec. 25, lots 4 and 5;
Sec. 26, lots 1, 3, 4, and 5, and the lands in United States Surveys No. 2774 and 2778, but excluding the lands in United States Surveys No. 2770, 2771, 2772, 2773, 2775 and 2776.

The areas described contain 1,799.69 acres.

2. Lots 1, 3, and 4, United States Survey No. 2774 are patented. Other lands have been classified for lease or sale under the Recreation Act of June 14, 1926 (43 CFR 254) and others are included in pending applications or entries. Reference should be made to the records of the Land Office, Bureau of Land Management, Fairbanks, Alaska, for the status of any particular parcel described in this order.

3. The land is located at the junction of the Alaska and Richardson Highways and includes the village of Delta Junction. The land consists of flat spruce-covered bottom land lying on the eastern side of the Delta River. The soils are thin and are underlain at shallow depth by river gravel. Vegetation consists of spruce, birch, and willow with blueberries and cranberries in the understory.

4. Subject to any existing valid rights, the provisions of existing withdrawals, and the requirements of applicable law, the lands are hereby opened to settlement and to filing applications, selections, and locations, in accordance with the following:

a. Applications and selections under the nonmineral public land laws and applications and offers under the mineral leasing laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications, selections, and offers will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) Until 10:00 a.m. on May 31, 1960, the State of Alaska shall have a preferred right of application to select the lands in accordance with and subject to the provisions of the act of July 28, 1956 (70 Stat. 709; 48 U.S.C. 46-3b) and section 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339).

(3) All valid applications and selections under the nonmineral public land laws and applications and offers under the mineral leasing laws presented prior to 10:00 a.m. on May 31, 1960, will be considered as simultaneously filed at that hour. Rights under such applications and selections and offers filed after that hour will be governed by the time of filing.

(4) Beginning at 10:00 a.m. on May 31, 1960, the lands will be subject to settlement under the homestead and Alaska homesite laws, and to location under the United States mining laws.

5. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Fairbanks, Alaska.

ROGER ERNST,
Assistant Secretary of the Interior.

MARCH 1, 1960.

[F.R. Doc. 60-2047; Filed, Mar. 4, 1960; 8:48 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 1—PRACTICE AND PROCEDURE

PART 13—COMMERCIAL RADIO OPERATORS

Miscellaneous Amendments

The Commission has had under consideration the desirability of making certain editorial changes in Parts 1 and 13 of its rules and regulations.

The purpose of the amendments adopted herein is to conform certain provisions with other Commission rules, to correct references and typographical errors, to clarify certain provisions, and to update the description of certain application processing procedures.

It appearing that the amendments adopted herein are editorial in nature and hence that compliance with the public notice, procedural, and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary; and

It further appearing that the amendments adopted herein are issued pursuant to authority contained in sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and section 0.341(a) of the Commission's Statement of Organization, Delegations of Authority and Other Information;

It is ordered, This 24th day of February 1960, that effective February 24, 1960, Parts 1 and 13 of the Commission's rules are amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

Released: February 26, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

Parts 1 and 13 of the Commission's rules are amended as follows:

1. Section 1.124 is amended to read as follows:

§ 1.124 Persons before whom deposition may be taken.

Depositions shall be taken before any judge of any court of the United States; any United States Commissioner; any clerk of a district court; any Chancellor, Justice or Judge of a Supreme or Superior Court; the Mayor or Chief Magistrate of a City; any judge of a county court, or court of common pleas of any of the United States; any notary public, not being of counsel or attorney to any party, nor interested in the event of the proceeding; or presiding officers, as provided in § 1.144.

2. Paragraph (c) of § 1.129 is amended to read as follows:

§ 1.129 Objections to depositions.

* * * * *

(c) Errors and irregularities occurring at the oral examination in the manner of taking the deposition, in the form of the questions or answers, in the oath or affirmation, or in the conduct of parties, and errors of any kind which might be obviated, removed, or cured if promptly presented, are waived unless seasonable objection thereto is made at the taking of the deposition.

3. Section 1.502 (b) and (c) are amended to read as follows:

§ 1.502 Where applications are to be filed.

* * * * *

(b) All applications, except those for renewal of station license, for authority to establish or operate stations (other than ship stations) covered by Part 14 of this chapter, "Public Fixed Stations and Stations of the Maritime Services in Alaska", including correspondence relating thereto, shall be filed in triplicate with the Commission's Engineer in Charge at Seattle, Washington.

(c) Formal applications for ship station licenses for use of radiotelephone transmitting apparatus, and applications for modification of ship station licenses (including modification to cover replacement of radiotelephone transmitting apparatus) shall, when accompanied by a request for an interim ship station license, be filed in accordance with § 8.36 of this chapter and presented in person by the applicant or his agent at the nearest field office of the Commission as shown in section 0.49 (a) and (b) of the Commission's Statement of Organization, Delegations of Authority and Other Information. Applications for renewal of ship station licenses are not subject to the provisions of this paragraph.

4. Section 1.523 is amended to read as follows:

§ 1.523 Construction permits.

A construction permit is not required for mobile radio stations or for any station in the Amateur Radio Service. Furthermore, a construction permit is not required for stations in the Maritime, Aviation, Public Safety, Industrial, Land Transportation, Citizens Radio, or Disaster Communications Services except for the following categories within these services (other than mobile) for which construction permits are required:

(a) Operational fixed stations;

(b) Land radiopositioning stations in the industrial radiolocation service;

(c) Public coast stations and limited Class I and Class II coast stations;

(d) Shore radiolocation, shore radionavigation, and shore radar stations;

(e) Alaskan public fixed stations; and

(f) Any station involving the erection of a new antenna or changes in an existing antenna if:

(1) The antenna structure proposed to be erected will exceed an over-all height of 170 feet above ground level, except where the antenna is mounted on top an existing man-made structure other than an antenna structure, and does not increase the over-all height of such man-made structure by more than 20 feet; or

(2) The antenna structure proposed to be erected will exceed an over-all height of one foot above an established airport (landing area) elevation for each 200 feet of distance, or fraction thereof, from the nearest boundary of such landing area, except where the antenna does not exceed 20 feet above the ground or where the antenna is mounted on top an existing man-made structure, other than an antenna structure, or natural formation and does not increase the over-all height of such man-made structure or natural formation by more than 20 feet.

5. Section 1.533 is amended to read as follows:

§ 1.533 Installation or removal of apparatus.

(a) In the Public Safety, Industrial, and Land Transportation Radio Services, replacement of transmitting equipment may be made without prior authorization: *Provided,* The replacement transmitter appears in the Commission's "Radio Equipment List, Part C" as designated for use in the Public Safety, Industrial, and Land Transportation Radio Services, and the substitute equipment employs the same type of emission and does not exceed the power limitation as set forth in the station authorization.

(b) In the Citizens Radio Service, replacement of transmitting equipment may be made without prior authorization: *Provided,* The replacement transmitter appears in the Commission's "Radio Equipment List, Part C" as designated for use in the Citizens Radio Service or, in the case of a Class C or Class D station using crystal control, the substitute equipment is crystal controlled: *Provided, further,* That the substitute equipment employs the same type of emission and does not exceed the frequency tolerance and power limitations prescribed for the particular class of station involved.

6. That portion of § 1.541 preceding paragraph (a), and paragraphs (a), (b), and (e) are amended to read as follows:

§ 1.541 How applications are distributed.

Applications for radio station authorizations in the Safety and Special Radio Services are forwarded for processing to the various divisions as follows:

(a) Aviation Division: Air Carrier Aircraft, Private Aircraft, Airdrome Control, Aeronautical Enroute, Aeronautical Fixed, Operational Fixed (Aviation), Aeronautical Utility Mobile, Radionavigation (Aviation), Flight Test, Flying School, Aeronautical Public Service, Civil Air Patrol, Aeronautical Advisory, Aeronautical Metropolitan, Aeronautical Search, and Rescue Mobile.

(b) Industrial Division: Business, Forest Products, Industrial Radiolocation, Manufacturers, Motion Pictures, Petroleum, Power, Relay Press, Special Industrial, and Telephone Maintenance.

* * * * *

(e) Public Safety and Amateur Division: Fire, Forestry Conservation, Highway Maintenance, Local Government, Police, Special Emergency, State Guard, Amateur, Disaster, and RACES.

7. In § 1.542, paragraph (a), paragraph (b) preceding the table and that portion of the table dealing with Industrial Services and Public Safety Services, and paragraph (c) preceding the table are amended to read as follows:

§ 1.542 How file numbers are assigned.

(a) File numbers are assigned to certain categories of applications by the various Divisions of the Safety and Special Radio Services Bureau.

(b) File number symbols and service or class of station designators:

* * * * *

INDUSTRIAL SERVICES

IB—Business.
IF—Forest products.
IR—Industrial radiolocation.
IX—Manufacturers.
IM—Motion picture.
IP—Petroleum.
IW—Power.
IY—Relay press.
IS—Special industrial.
IT—Telephone maintenance.

* * * * *

PUBLIC SAFETY SERVICES

PF—Fire.
PO—Forestry conservation.
PH—Highway maintenance.
PL—Local government.
PP—Police.
PS—Special emergency.
PG—State Guard.

(c) Application or authorization designator symbols:

* * * * *

8. Section 1.546(b)(3) is amended to read as follows:

§ 1.546 How applications are processed.

* * * * *

(b) * * *

(3) The staff is unable to determine from the facts furnished by an applicant in response to a letter sent pursuant to section 309(b) of the Communications Act that the public interest would be served by a grant of the application.

9. Section 13.12 is amended to read as follows:

§ 13.12 Special provisions, radiotelegraph first class.

An applicant for the radiotelegraph first-class operator license must be at least 21 years of age at the time the license is issued and shall have had an aggregate of 1 year of satisfactory service as a radiotelegraph operator manipulating the key of a manually operated radiotelegraph station on board a ship or in a manually operated radiotelegraph coast station.

10. In § 13.61, the provisos in paragraphs (d)(8) and (g)(6) are amended to delete obsolete reference to paragraph (c) of § 13.61. Also, paragraphs (a)(5); (b)(6); (d)(3), (4), and (6); (e)(2) and (3); (f)(7) and (8); (g)(4) and (5); and (h)(6) are amended to read as follows:

§ 13.61 Operating authority.

* * * * *

(a) *Radiotelegraph first-class operator license.* * * *

(5) At a ship radar station, the holder of this class of license may not supervise or be responsible for the performance of any adjustments or tests during or coincident with the installation, serv-

icing or maintenance of the radar equipment while it is radiating energy unless he has satisfactorily completed a supplementary examination qualifying him for that duty and received a ship radar endorsement on his license certifying to that fact: *Provided,* That nothing in this subparagraph shall be construed to prevent persons holding licenses not so endorsed from making replacements of fuses or of receiving-type tubes. The supplementary examination shall consist of:

(i) Written examination element: 8.

* * * * *

(b) *Radiotelegraph second-class operator license.* * * *

(6) At a ship radar station, the holder of this class of license may not supervise or be responsible for the performance of any adjustments or tests during or coincident with the installation, servicing or maintenance of the radar equipment while it is radiating energy unless he has satisfactorily completed a supplementary examination qualifying him for that duty and received a ship radar endorsement on his license certifying to that fact: *Provided,* That nothing in this subparagraph shall be construed to prevent persons holding licenses not so endorsed from making replacements of fuses or of receiving-type tubes. The supplementary examination shall consist of:

(i) Written examination element: 8.

* * * * *

(d) *Radiotelegraph third-class operator permit.* * * *

(3) Class I–B coast stations (other than when transmitting manual radiotelegraphy for identification or for testing) at which the power in the antenna of the unmodulated carrier wave is authorized to exceed 250 watts, or

(4) Class II–B or Class III–B coast stations (other than those in Alaska and other than when transmitting manual radiotelegraphy for identification or for testing) at which the power in the antenna of the unmodulated carrier wave is authorized to exceed 250 watts, or

* * * * *

(6) Ship stations and coast stations open to public correspondence by telegraphy, or

* * * * *

(e) *Radiotelephone first-class operator license.* * * *

(2) Ship stations licensed to use telephony and power in excess of 100 watts for communication with Class I–B coast stations.

(3) At a ship radar station, the holder of this class of license may not supervise or be responsible for the performance of any adjustments or tests during or coincident with the installation, servicing or maintenance of the radar equipment while it is radiating energy unless he has satisfactorily completed a supplementary examination qualifying him for that duty and received a ship radar endorsement on his license certifying to that fact: *Provided,* That nothing in this subparagraph shall be construed to prevent persons holding licenses not so endorsed from making replacements of fuses or of receiving-type tubes. The supplementary examination shall consist of:

(i) Written examination element: 8.

* * * * *

(f) *Radiotelephone second-class operator license.* * * *

(7) Ship stations licensed to use telephony and power in excess of 100 watts for communication with Class I–B coast stations.

(8) At a ship radar station, the holder of this class of license may not supervise or be responsible for the performance of any adjustments or tests during or coincident with the installation, servicing or maintenance of the radar equipment while it is radiating energy unless he has satisfactorily completed a supplementary examination qualifying him for that duty and received a ship radar endorsement on his license certifying to that fact: *Provided,* That nothing in this subparagraph shall be construed to prevent persons holding licenses not so endorsed from making replacements of fuses or of receiving-type tubes. The supplementary examination shall consist of:

(i) Written examination element: 8.

* * * * *

(g) *Radiotelephone third-class operator permit.* * * *

(4) Class I–B coast stations at which the power in the antenna of the unmodulated carrier wave is authorized to exceed 250 watts, or

(5) Class II–B or Class III–B coast stations, other than those in Alaska at which the power in the antenna of the unmodulated carrier wave is authorized to exceed 250 watts, or

* * * * *

(h) *Restricted radiotelephone operator permit.* * * *

(6) Coast stations, other than those in Alaska, while employing a frequency below 30 Mc, or

[F.R. Doc. 60–1898; Filed, Mar. 4, 1960; 8:45 a.m.]

PART 17—CONSTRUCTION, MARKING, AND LIGHTING OF ANTENNA STRUCTURES

Miscellaneous Amendments

The Commission having under consideration the amendment of Part 17—Construction, Marking and Lighting of Antenna Structures, of its rules to effect editorial changes arising from the transfer of the functions of the Civil Aeronautics Administration to the Federal Aviation Agency; and to clarify sections concerning painting and lighting specifications; and

It appearing that for the above-mentioned reasons, the public interest would be served by amending Part 17 of the Commission's rules in the manner herein ordered; and

It further appearing that the amendments adopted herein are editorial in nature; therefore, prior publication of notice of proposed rule making under the provisions of section 4(a) of the Administrative Procedure Act is unnecessary; and

It further appearing that since the amendments herein ordered adopted involve no substantive change in the Commission's rules such amendments may be made effective less than 30 days after publication, as provided in section 4(c) of the Administrative Procedure Act; and

It further appearing that the amendments herein are issued pursuant to the authority contained in sections 4(i), 5(d)(1) and 303(r) of the Communications Act of 1934, as amended, and section 0.341(a) of the Commission's Statement of Organization, Delegation of Authority and other information.

It is ordered, This 24th day of February 1960 that effective February 24, 1960, Part 17—Construction, Marking and Lighting of Antenna Structures, is amended, as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

Released: February 25, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

Part 17 is amended as follows:

1. Section 17.1(b) is amended to read as follows:

§ 17.1 Basis and purpose.

* * * * *

(b) The purpose of the rules in this part is to prescribe certain procedures and standards with respect to the Commission's consideration of proposed antenna structures which will serve as a guide to persons intending to apply for radio station licenses. The standards were worked out in conjunction with the Civil Aeronautics Administration (now the Federal Aviation Agency), the Department of Defense and other Government agencies.

2. In § 17.2, paragraphs (e), (h), (j), and (m) are amended, footnote 1 to paragraph (1) is deleted and a note to the paragraph is substituted therefore, as follows:

§ 17.2 Definitions.

* * * * *

(e) *Designated air traffic control areas.* Areas established and designated by the Administrator of the Federal Aviation Agency for air traffic control purposes. Information concerning the location of these areas can be obtained from Federal Aviation Agency publications and by contacting the FAA regional offices.

* * * * *

(h) *Civil airways.* A system of aerial routes designated by the Administrator of the Federal Aviation Agency for Air Navigation and Traffic Control purposes. Information concerning the location of civil airways can be obtained from aeronautical charts, FAA publications, and by contacting the FAA regional offices.

* * * * *

(j) *Horizontal surface.* The horizontal surface is an imaginary plane through the airspace, circular in shape, with its height 150 feet above the established airport elevation and having a

radius from the airport reference point as indicated in the following table:

	Feet
Intercontinental express airports and Department of Defense air bases	13,000
Intercontinental airport	11,500
Continental airports	10,000
Express airports	8,500
Trunk line airports	7,000
Feeder airports	6,000
All smaller airports	5,000

The category of every airport in accordance with the above classification is designated by the Administrator of the Federal Aviation Agency.

* * * * * *

(l) * * *

NOTE: Consideration to aeronautical facilities not in existence at the time of the filing of the application for radio facilities will be given only when proposed airport construction or improvement plans are on file with the Federal Aviation Agency as of the filing date of the application for such radio facilities.

(m) *Minimum flight altitude.* Minimum altitudes designated by the Administrator of the Federal Aviation Agency to provide aircraft a safe clearance of all obstructions within the area designated. The necessary information concerning the locations of these areas and the established minimum flight altitude can be obtained from the FAA publications and by contacting the FAA regional offices.

3. Delete footnote and footnote designator 2, § 17.12(c) and add a note to the text immediately following Section 17.12(c) to read as follows:

§ 17.12 Antenna structures over 170 feet up to and including 500 feet in height.

* * * * *

(c) * * *

NOTE: see note to § 17.2(l).

4. Section 17.23 is amended to read as follows:

§ 17.23 Specifications for the painting of antenna structures in accordance with § 17.21.

Antenna structures shall be painted throughout their height with alternate bands of aviation surface orange and white, terminating with aviation surface orange bands at both top and bottom. The width of the bands shall be equal and approximately one-seventh the height of the structure, provided however, that the bands shall not be more than 40 feet nor less than 1½ feet in width.

§§ 17.27–17.33 [Amendment]

5. That portion of §§ 17.27(a)(3), 17.28(a)(3), 17.29(a)(3), 17.30(a)(3), 17.31(a)(3), 17.32(a)(3), 17.33(a)(3) which reads "100- or 111-watt lamp (#100 A21/TS or #111 A21/TS, respectively)" is amended to read as follows: "100-, 107-, 111-, or 116-watt lamp (#100 A21/TS, #107 A21/TS, #111 A21/TS or #116 A21/TS, respectively)".

§§ 17.24–17.26, 17.36 [Amendment]

6. That portion of §§ 17.24(a)(1), 17.25(a)(2), 17.26(a)(2), 17.36 which reads "100-, or 111-watt lamps (#100 A21/TS or #111 A21/TS, respectively)" is amended to read as follows: "100-, 107-, 111-, or 116-watt lamps (#100 A21/TS, #107 A21/TS, #111 A21/TS or #116 A21/TS, respectively)".

7. Section 17.37(b) is amended to read as follows:

§ 17.37 Inspection of tower lights and associated control equipment.

* * * * *

(b) Shall report immediately by telephone or telegraph to the nearest Air Traffic Communication Station or office of the Federal Aviation Agency any observed or otherwise known failure of a code or rotating beacon light or top light not corrected within thirty minutes, regardless of the cause of such failure. Further notification by telephone or telegraph shall be given immediately upon resumption of the required illumination.

8. Section 17.38(c) (4) and (5) is amended to read as follows:

§ 17.38 Recording of tower light inspections in the station record.

* * * * *

(c) * * *

(4) Identification of Air Traffic Communication Station (Federal Aviation Agency) notified of the failure of any code or rotating beacon light or top light not corrected within thirty minutes, and the date and time such notice was given.

(5) Date and time notice was given to the Air Traffic Communication Station (Federal Aviation Agency) that the required illumination was resumed.

9. The table in § 17.42 is amended to read as follows:

§ 17.42 Lighting equipment.

* * * * *

Outside white	Federal Specifications	TT-P-102.[1]
Aviation surface orange	do	TT-P-59 [1 3] (Color #12197 of Federal Standard 595).
Aviation surface orange, enamel	do	TT-E-489 [1] (Color #12197 of Federal Standard 595).
Code beacon	FAA Specifications	446 (Sec. II-d-Style 4).[4]
Obstruction light globe, prismatic	Army-Navy Drawing	AN-L-10A.[2] or FAA Specification L-810.[5]
Obstruction light globe, fresnel	do	
Single multiple obstruction light fitting assembly.	do	
Obstruction light fitting assembly	do	
100-watt lamp		No. 100 A21/TS.[6]
107-watt lamp		No. 107 A21/TS (3,000 hours).
111-watt lamp		No. 111 A21/TS (3,000 hours).
116-watt lamp		No. 116 A21/TS (6,000 hours).
500-watt lamp		No. 500 PS 40/45.[6]
620-watt lamp		No. 620 PS 40/45 (3,000 hours).

[1] Copies of this specification can be obtained from the Business Service Center, General Services Administration, 7th and D Streets, SW., Washington 25, D.C. (Outside white, 10 cents; Aviation surface orange, paint 5 cents, enamel 15 cents).

[2] Copies of Army-Navy Specifications or drawings can be obtained by contacting Commanding General, Air Materiel Command, Wright Field, Dayton, Ohio, or the Bureau of Aeronautics, Navy Department, Washington 25, D.C. Information concerning Army-Navy Specifications or drawings can also be obtained from the Bureau of Facilities of Materiel, Airports Division, Federal Aviation Agency, Washington 25, D.C.

[3] At the Air Routes and Ground Aids Division Meeting of the International Civil Aviation Organization during November 1949, the designation "Aviation Surface Orange" was adopted to replace "International Orange."

[4] Copies of this specification can be obtained from the Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C.

[5] Copies of this specification can be obtained from the Bureau of Facilities of Materiel, Airports Division, Federal Aviation Agency, Washington 25, D.C.

[6] It is strongly recommended that the 116-watt, 6,000 hour lamp and the 620-watt, 3,000 hour lamp be used instead of the 100-watt and the 500-watt lamps whenever possible in view of the extended life, lower maintenance cost, and greater safety which they provide.

[F.R. Doc. 60–1899; Filed, Mar. 4, 1960; 8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

NET OPERATING LOSS CARRYOVERS IN CERTAIN CORPORATE ACQUISITIONS

Notice of Hearing

Proposed regulations under section 381 (a), (b), & (c) (1) of the Internal Revenue Code of 1954, relating to net operating loss carryovers in certain corporate acquisitions, were published in the FEDERAL REGISTER for January 29, 1960.

A public hearing on these proposed regulations will be held on Tuesday, March 22, 1960, at 10:00 a.m., e.s.t., in Room 3313, Internal Revenue Building, Twelfth and Constitution Avenue NW., Washington, D.C. Persons who plan to attend the hearing are requested to notify the Commissioner of Internal Revenue, Attention: T:P, Washington 25, D.C., by March 18, 1960.

[SEAL] MAURICE LEWIS,
Director, Technical Planning Division Internal Revenue Service.

[F.R. Doc. 60-2059; Filed, Mar. 4, 1960; 8:50 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 1021]

TOMATOES GROWN IN THE LOWER RIO GRANDE VALLEY IN TEXAS

Limitation of Shipments

Notice is hereby given that the Secretary of Agriculture is considering the limitation of shipments as hereinafter set forth, which was recommended by the Texas Valley Tomato Committee, established pursuant to Marketing Order No. 121 (7 CFR Part 1021), regulating the handling of tomatoes grown in the counties of Cameron, Hidalgo, Starr, and Willacy in Texas (Lower Rio Grande Valley), issued under the Agricultural Marketing Agreement Act of 1937, as amended (Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674).

Consideration will be given to any data, views, or arguments pertaining thereto, which are filed with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., not later than five days following publication of this notice in the FEDERAL REGISTER. The proposals are as follows:

§ 1021.302 Limitation of shipment.

Except as otherwise provided in this section, during the period April 4, 1960 through July 2, 1960, the following regulations shall be effective with respect to all varieties of tomatoes handled, as defined in § 1021.7 of Order No. 121, and no person shall handle such tomatoes or cause such tomatoes to be handled unless they are inspected and certified as required by paragraph (b) of this section, and meet the requirements of paragraph (a) of this section.

(a) *Requirements*—(1) *Minimum grade.* U.S. No. 2, or better, grade.

(2) *Minimum size.* 2$\frac{1}{32}$ inches in diameter or larger. Not more than ten percent, by count, of tomatoes in any lot of size 7 x 7 (2$\frac{1}{32}$ inches minimum diameter to 2$\frac{9}{32}$ inches maximum diameter) may be smaller than the specified minimum diameter.

(3) *Sizing arrangements.* (i) Mature green tomatoes shall be packed in one of the following ranges of diameter applicable thereto:

Size arrangements	Diameter (inches)
Mature green	
7x7	2$\frac{1}{32}$ to 2$\frac{9}{32}$, inclusive.
6x7	Over 2$\frac{9}{32}$ to 2$\frac{17}{32}$, inclusive.
6x6	Over 2$\frac{17}{32}$.

(ii) All tomatoes subject to sizing arrangements shall be packed separately for each size range, except that size 6 x 6 and larger sizes may be commingled.

(iii) To allow for variations incident to proper sizing and handling, for mature green tomatoes, not more than a total of ten percent, by count, in any lot, may be smaller than the minimum diameter or larger than the specified maximum diameter. Tomatoes of turning or greater degree of maturity shall not be subject to size arrangements.

(b) *Inspection.* (1) All tomatoes handled pursuant to this part, other than those specifically excepted therefrom pursuant to paragraph (c) *"Excepted varieties"*, or exempted pursuant to paragraphs (d) *"Repacked tomatoes"* and (e) *"Minimum quantity"*, of this section, shall be inspected and certified pursuant to the provisions of § 1021.60; and (2) no handler shall transport or cause the transportation of any shipment of tomatoes by motor vehicle unless each such shipment is accompanied by a copy of the inspection certificate applicable thereto.

(c) *Excepted varieties.* Elongated types of tomatoes, commonly referred to as pear shaped or paste tomatoes and including but not limited to San Marzano, Red Top, and Roma varieties; and cerasiform type tomatoes commonly referred to as cherry tomatoes, are not subject to the requirements of this section.

(d) *Repacked tomatoes.* A handler who is a repacker within the production area may register with the committee, as a repacker, in accordance with applicable rules and regulations, and thereafter may handle repacked tomatoes without reinspection thereon after repacking, if such tomatoes were previously inspected prior to repacking and met the grade and size requirements of this regulation.

(e) *Minimum quantity.* For purposes of these regulations, each person subject thereto may handle, pursuant to § 1021.53, up to, but not to exceed, 120 pounds of tomatoes per day without regard to the requirements of this part, but this exception shall not apply to any portion of a shipment of over 120 pounds of tomatoes.

(f) *Special purpose shipments.* The limitations set forth in this regulation shall not be applicable to shipments of tomatoes for the following purposes: (1) Relief or charity; (2) processing; and (3) for experimental purposes.

(g) *Safeguards.* Each handler making shipments of tomatoes pursuant to paragraph (f) of this section for relief or charity, for processing, or for experimental purposes, shall apply for and obtain an approved Certificate of Privilege from the committee applicable to shipments for such prposes.

(h) *Definitions*—(1) *Tomato classifications.* For purposes of this section:

(i) "Mature green" shall apply to all tomatoes generally showing a slight break in the ground color to a whitish green color over the shoulders; the contents of two or more seed cavities will have developed a jelly like consistency and the seeds will be well developed, slightly hard, and in slicing the fruit with a sharp knife will usually be pushed aside rather than cut;

(ii) "Turning or of a greater degree of maturity" shall apply to all tomatoes where there is at least a definite break in color to pink or red at the blossom end and all higher degrees of color as used and defined under Color Classification in the United States Standards for Fresh Tomatoes (7 CFR 51.1864);

(iii) Incident to proper classification, any lot of tomatoes containing more than ten percent, by count, of mature green tomatoes shall be classified as mature green tomatoes; and for any lot of tomatoes to be classified as turning or of a greater degree of maturity, not more than a total of ten percent, by count, of such tomatoes may fail to meet the minimum color requirements;

(2) *Grade.* The term "U.S. No. 2" means the U.S. No. 2 grade, as set forth in the United States Standards for Fresh Tomatoes (§§ 51.1855-51.1877 of this title; 22 F.R. 4528), including the tolerances set forth therein.

(3) *Other terms.* All other terms used in this section shall have the same meaning as when used in Marketing Order No. 121 (7 CFR Part 1021).

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: March 1, 1960.

FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division.

[F.R. Doc. 60-2055; Filed, Mar. 4, 1960; 8:49 a.m.]

[7 CFR Part 1065]

TOMATOES

Imports

Notice is hereby given that the Secretary of Agriculture is giving consideration to grade, size, quality and inspection regulations that are to be made applicable to the importation of tomatoes into the United States pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (Secs. 1–19, 48 Stat. 31, as amended, 7 U.S.C. 601–674), and the applicable general regulations (7 CFR Part 1060).

Consideration will be given to any data, views, or arguments pertaining thereto, which are filed with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., not later than 5 days following publication of this notice in the FEDERAL REGISTER. The proposals are as follows:

§ 1065.5 Tomato Regulation No. 5.

(a) *Import restrictions.* During * * * the period from April 4, 1960, to July 2, 1960, both dates inclusive, and subject to the general regulations (7 CFR Part 1060) applicable to the importation of listed commodities an the requirements of this section, no person shall import any tomatoes of any variety, except elongated types, commonly referred to as pear shaped or paste tomatoes and including, but not limited to, San Marzano, Red Top, and Roma varieties; and cerasiform type tomatoes, commonly referred to as cherry tomatoes, unless such tomatoes meet the requirements of the U.S. No. 2, or better grade, and are 2 1/32 inches minimum diameter or larger: *Provided,* That not more than ten (10) percent, by count, of the tomatoes in any lot of 7 x 7 (2 1/32 inches minimum diameter to 2 9/32 inches maximum diameter) may be smaller than the specified minimum diameter.

(b) *Minimum quantity.* Any importation which in the aggregate does not exceed 120 pounds, may be imported without regard to the provisions of paragraph (a) of this section.

(c) *Plant quarantine.* No provisions of this section shall supersede the restrictions or prohibitions on tomatoes under the Plant Quarantine Act of 1912.

(d) *Inspection and certification.* (1) The Federal or the Federal-State Inspection Service, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, is hereby designated, pursuant to § 1060.4(a) of the general regulations, as the governmental inspection service for the purpose of certifying the grade, size, quality, and maturity of tomatoes that are imported, or to be imported into the United States under the provisions of section 8e of the act.

(2) Inspection and certification by the Federal or the Federal-State Inspection Service of each lot of imported tomatoes is required pursuant to § 1060.3 *Eligible imports* of the aforesaid general regulations and this section. Each such lot shall be made available and accessible for inspection. Such inspection and certification will be made available in accordance with the rules and regulations governing inspection and certification of fresh fruits, vegetables, and other products (7 CFR Part 51). Since inspectors may not be stationed in the immediate vicinity of some smaller ports of entry, importers of uninspected and uncertified tomatoes should make advance arrangements for inspection by ascertaining whether or not there is an inspector located at their particular port of entry. For all ports of entry where an inspection office is not located each importer must give the specified advance notice to the applicable office listed below prior to the time the tomatoes will be imported.

Ports	Office	Advance notice
All Texas points.	W. T. McNabb, P.O. Box 111, 222 McClendon Bldg., 305 E. Jackson St., Harlingen, Tex., (Tel.: Garfield 3-5644).	1 day.
All Arizona points.	R. H. Bertelson, Room 202 Trust Bldg., 305 American Ave., P.O. Box 1646, Nogales, Ariz., (Tel.: Atwater 7-2902).	1 day.
All California points.	Carley D. Williams, 294 Wholesale Terminal Bldg., 784 S. Central Ave., Los Angeles 21, Calif., (Tel.: Madison 2-8756).	3 days.
All Florida points.	Lloyd W. Boney, Dade County Growers Market, 1200 NW 21st Terrace, Room 5, Miami 42, Fla., (Tel.: Franklin 1-6932).	3 days.
All other points.	E. E. Conklin, Chief, Fresh Products Standardization and Inspection Branch, Fruit and Vegetable Division, AMS, Washington 25, D.C., (Tel.: Republic 7-4142, Ext. 5870).	3 days.

(3) Inspection certificates shall cover only the quantity of tomatoes that is being imported at a particular port of entry by a particular importer.

(4) The inspections performed, and certificates issued by the Federal or Federal-State Inspection Service shall be in accordance with the rules and regulations of the Department governing the inspection and certification of fresh fruits, vegetables, and other products (7 CFR Part 51). The cost of any inspection and certification shall be borne by the applicant therefor.

(5) Each inspection certificate issued with respect to any tomatoes to be imported into the United States shall set forth, among other things:

(i) The date and place of inspection;

(ii) The name of the shipper, or applicant;

(iii) The name of the importer (consignee);

(iv) The commodity inspected;

(v) The quantity of the commodity covered by the certificate;

(vi) The principal identifying marks on the containers;

(vii) The railroad car initials and number, the truck and trailer license number, the name of the vessel, or other identification of the shipment; and

(viii) The following statement, if the facts warrant: Meets U.S. Import requirements under section 8e of the Agricultural Marketing Agreement Act of 1937.

(e) *Definitions.* (1) The term "U.S. No. 2" means the U.S. No. 2 grade, as set forth in the United States Standards for Tomatoes (§§ 51.1855 to 51.1877, inclusive, of this title; 21 F.R. 9559), including the tolerances set forth therein.

(2) All other terms have the same meaning as when used in the general regulations (7 CFR Part 1060) applicable to the importation of listed commodities.

Dated: March 1, 1960.

FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 60–2054; Filed, Mar. 4, 1960; 8:49 a.m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

[46 CFR Ch. II]

[Docket No. 876]

FILING OF AGREEMENTS UNDER SECTION 15, SHIPPING ACT, 1916, AS AMENDED

[Docket No. 877]

FILING OF FREIGHT RATES IN THE FOREIGN COMMERCE OF THE UNITED STATES

[Docket No. 878]

PUBLIC DISTRIBUTION OF FREIGHT TARIFFS

Denial of Time Extension for Filing Comments

Notices of proposed rule making in the above cited matters appeared in the FEDERAL REGISTER issues of January 15, 1960 (Docket No. 876), and of January 5, 1960 (Docket Nos. 877 and 878), wherein interested persons were invited to file written data, views, comments, or arguments, for consideration by the Federal Maritime Board, by the close of business March 15, 1960 (Docket No. 876), and by the close of business March 1, 1960 (Docket Nos. 877 and 878).

Notice is hereby given that at a session held at its office in Washington, D.C., on February 26, 1960, the Federal Maritime Board entered the following order:

Upon consideration of the request of the Member Lines of the Mediterranean-U.S.A. Great Lakes Westbound Conference for extension of time for filing written data, views, comments, or arguments beyond March 15, 1960, in Docket No. 876, and beyond March 1, 1960, in Docket Nos. 877 and 878:

It is ordered, That the said request be, and it is hereby, denied.

By order of the Federal Maritime Board.

Dated: February 29, 1960.

JAMES L. PIMPER,
Secretary.

[F.R. Doc. 60–2058; Filed, Mar. 4, 1960; 8:50 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 120]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Notice of Filing of Petition for Establishment of Tolerances for Residues of Sodium 2,2-Dichloropropionate

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1) 68 Stat. 512; 21 U.S.C. 346a(d)(1)), the following notice is issued:

A petition has been filed by the Dow Chemical Company, Midland, Michigan, proposing the establishment of tolerances of 15 parts per million for residues of sodium 2,2-dichloropropionate, as 2,2-dichloropropionic acid, in or on the raw agricultural commodities peas (shelled or unshelled) and pea vines (with or without pods).

The analytical method proposed in the petition for determining residues of sodium 2,2-dichloropropionate as 2,2-dichloropropionic acid is that described in the notice published in the FEDERAL REGISTER of November 29, 1956, (21 F.R. 9329) and in the Journal of Agricultural and Food Chemistry, Volume 5, pages 675–678 (1957), with minor modifications.

Dated: February 29, 1960.

[SEAL] ROBERT S. ROE,
Director, Bureau of Biological and Physical Sciences.

[F.R. Doc. 60–2064; Filed, Mar. 4, 1960; 8:50 a.m.]

[21 CFR Part 120]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Notice of Filing of Petition for Establishment of Tolerance for Residues of Sodium 2,2-Dichloropropionate

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), the following notice is issued:

A petition has been filed by the Dow Chemical Company, Midland, Michigan, proposing the establishment of a tolerance of 2 parts per million for residues of sodium 2,2-dichloropropionate, as 2,2-dichloropropionic acid, in or on coffee.

The analytical method proposed in the petition for determining residues of sodium 2,2-dichloropropionate, as 2,2-dichloropropionic acid, is that described in the notice published in the FEDERAL REGISTER of November 29, 1956 (21 F.R. 9329) and in the Journal of Agricultural and Food Chemistry, Volume 5, pages 675–678 (1957), with minor modifications.

Dated: February 29, 1960.

[SEAL] ROBERT S. ROE,
Director, Bureau of Biological and Physical Sciences.

[F.R. Doc. 60–2065; Filed, Mar. 4, 1960; 8:50 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 600]

[Airspace Docket No. 59–WA–365]

FEDERAL AIRWAYS

Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 600.6001 of the regulations of the Administrator, the substance of which is stated below.

VOR Federal airway No. 1 presently extends in part from Wilmington, N.C., to Cofield, N.C. The Federal Aviation Agency has under consideration modification of Victor 1 and Victor 1 west alternate between Wilmington and Cofield. It is proposed to redesignate Victor 1 between Wilmington and Cofield via a VORTAC to be installed approximately May 5, 1960, near Kinston, N.C., at latitude 35°22'12" N., longitude 77°33'30" W., and redesignate Victor 1 west alternate between Wilmington and Kinston via the Wilmington VOR 352° and the Kinston VOR 214° True radials, to the Kinston VOR. These modifications would provide more precise navigational guidance on these segments of Victor 1. The control areas associated with Victor 1 are so designated that they would automatically conform to the modified airway. Accordingly, no amendment relating to such control areas is necessary.

If these actions are taken, VOR Federal airway No. 1 between Wilmington, N.C., and Cofield, N.C., would be designated via the Kinston, N.C., VOR and Victor 1 west alternate between Wilmington and Cofield would be redesignated from the Wilmington VOR via the interesection of the Wilmington VOR 352° and the Kinston 214° True radials, to the Kinston VOR.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B–316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60–2036; Filed, Mar. 4, 1960; 8:47 a.m.]

[14 CFR Part 600]

[Airspace Docket No. 59–WA–353]

FEDERAL AIRWAYS

Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to §§ 600.6002, 600.6014, 600.6031 and 600.6084 of the Regulations of the Administrator, the substance of which is stated below.

VOR Federal airway No. 14 presently extends in part from Buffalo, N.Y., to Albany, N.Y., via Rochester, N.Y., and Syracuse, N.Y., as a common segment with VOR Federal airway No. 2. The Federal Aviation Agency has under consideration modification of this segment of Victor 14 by realigning it from Buffalo via the Geneseo, N.Y., VOR; a VOR to be installed approximately July 15, 1960, near Georgetown, N.Y., at latitude 42°47'01" N., longitude 75°42'43" W.; thence via the intersection of the Georgetown VOR 093° and the Albany VOR 270° True radials to the Albany VOR. This modification of Victor 14 would provide an additional airway for the air traffic management of the high volume of air traffic operating between and over the Buffalo and Albany terminal areas. Concurrently with this action the Federal Aviation Agency is considering a minor realignment to the segment of VOR Federal airway No. 31 between Elmira, N.Y., and Rochester, N.Y., and VOR Federal airway No. 84 between Geneseo, N.Y., and Syracuse, N.Y., so as to form a common VHF intersection for air traffic management purposes in the vicinity of Bellona, N.Y., with the proposed realigned segment of Victor 14

between the Geneseo VOR and the Georgetown VOR. In addition, the Federal Aviation Agency is considering revocation of the south alternate segment of Victor 2 between Syracuse and Albany. The retention of this south alternate segment would no longer be required for air traffic management purposes with the proposed realignment of Victor 14, between Buffalo and Albany, which would provide a by-pass airway for aircraft south of the Syracuse terminal area. The control areas associated with VOR Federal airways No. 2, No. 14, No. 31, and No. 84 are so designated that they will automatically conform to the modified airways. Accordingly, no amendment relating to such control areas is necessary.

If these actions are taken, the segment of VOR Federal airway No. 14 between Buffalo, N.Y., and Albany, N.Y., would be designated from Buffalo, N.Y., via Geneseo, N.Y.; Georgetown, N.Y.; intersection of the Georgetown VOR 093° and the Albany VOR 270° True radials; thence to Albany, N.Y. The segment of VOR Federal airway No. 31 between Elmira, N.Y., and Rochester, N.Y., would be designated via the intersection of the Elmira VOR 357° and the Rochester VOR 125° True radials. The segment of VOR Federal airway No. 84 between Geneseo, N.Y., and Syracuse, N.Y., would be designated via the intersection of the Geneseo VOR 091° and the Syracuse VOR 241° True radials. The south alternate segment of VOR Federal airway No. 2 between Syracuse, N.Y., and Albany, N.Y., would be revoked.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2023; Filed, Mar. 4, 1960; 8:46 a.m.]

[14 CFR Part 600]

[Airspace Docket No. 59-WA-358]

FEDERAL AIRWAYS

Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 600.6034 of the regulations of the Administrator, the substance of which is stated below.

VOR Federal airway No. 34 presently extends, in part, from Ithaca, N.Y., via Binghamton, N.Y., to Wilton, Conn. The Federal Aviation Agency has under consideration the modification of this segment of Victor 34 by realigning it from the Ithaca VOR to the Wilton VOR via a VOR to be installed approximately July 15, 1960 near Hancock, N.Y., at latitude 41°59'36" N., longitude 75°11'23" W., and the intersection of the Huguenot, N.Y., VOR 046° and the Wilton VOR 295° True radials. This realignment would provide more precise navigational guidance on this segment of Victor 34. The control areas associated with Victor 34 are so designated that they would automatically conform to the modified airway. Accordingly, no amendment relating to such control areas would be necessary.

If this action is taken, the segment of VOR Federal airway No. 34 from Ithaca, N.Y., to Wilton, Conn., would be designated from Ithaca via Hancock, N.Y., and the intersection of the Huguenot, N.Y., VOR 046° and the Wilton VOR 295° True radial, to Wilton.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2019; Filed, Mar. 4, 1960; 8:46 a.m.]

[14 CFR Part 600]

[Airspace Docket No. 60-NY-14]

FEDERAL AIRWAYS

Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 600.6097 of the regulations of the Administrator, the substance of which is stated below.

VOR Federal airway No. 97 presently extends, in part, from London, Ky., via Lexington, Ky., to Cincinnati, Ohio, with an east alternate designated from Lexington, to Cincinnati via Falmouth, Ky. The Federal Aviation Agency has under consideration the designation of west alternates to Victor 97 from the London VOR to the Lexington VOR via the intersection of the London VOR 328° and the Lexington VOR 178° True radials, and from Lexington to Cincinnati via the intersection of the Lexington VOR 327° and the Cincinnati VOR 192° True radials. The proposed west alternate between London and Lexington would assist Air Traffic Management by providing a by-pass airway for separating aircraft arriving and departing the Blue Grass Airport, Lexington, Ky., from en route aircraft operating on the main airway. The proposed west alternate between Lexington and Cincinnati would assist Air Traffic Management by providing an additional route for aircraft departing the Cincinnati terminal area which would overfly Lexington for other southern terminals. The control areas associated with Victor 97 are so designated that they would automatically conform to the modified airway. Accordingly, no amendment relating to such control areas would be necessary.

If these actions are taken, west alternates to VOR Federal airway No. 97 would be designated from London, Ky., to Lexington, Ky., via the intersection of the London VOR 328° and the Lexington VOR 178° True radials, and from Lexington, Ky., to Cincinnati, Ohio, via the intersection of the Lexington VOR 327° and the Cincinnati VOR 192° True radials.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, Federal Building, New

York International Airport, Jamaica 30, N.Y. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2026; Filed, Mar. 4, 1960; 8:46 a.m.]

[14 CFR Part 600]

[Airspace Docket No. 59-WA-366]

FEDERAL AIRWAYS

Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 600.6004 of the regulations of the Administrator, the substance of which is stated below.

VOR Federal airway No. 4 presently extends in part, from Elkins, W. Va., to Front Royal, Va. The Federal Aviation Agency has under consideration modification of this segment of Victor 4 by realigning it from Elkins via a VOR to be installed approximately October 15, 1960, near Kessel, W. Va., at latitude 39°13'32" N., longitude 78°59'22" W., thence to Front Royal. This modification would provide more precise navigational guidance on this airway segment. The control areas associated with Victor 4 are so designated that they would automatically conform to the modified airway. Accordingly, no amendment relating to such control areas would be necessary.

If this action is taken, the segment of VOR Federal airway No. 4 between Elkins, W. Va., and Front Royal, Va., would be designated via Kessel, W. Va.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2015; Filed, Mar. 4, 1960; 8:46 a.m.]

[14 CFR Part 600]

[Airspace Docket No. 59-WA-357]

FEDERAL AIRWAYS

Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 600.6149 of the regulations of the Administrator, the substance of which is stated below.

VOR Federal airway No. 149 presently extends, in part, from Binghamton, N.Y., to Utica, N.Y., via the intersection of the Binghamton VOR 023° True radial with the Syracuse, N.Y., VOR direct radial to the Utica VOR. The Federal Aviation Agency has under consideration modification of this segment of Victor 149 by redesignating it from the Binghamton VOR via a VOR to be installed approximately July 15, 1960, near Georgetown, N.Y., at latitude 42°47'01" N., longitude 75°42'43" W., to the Utica, N.Y., VOR. This modification would provide more precise navigational guidance and a more direct airway for VHF equipped aircraft operating between the Binghamton and Utica terminals. The control areas associated with Victor 149 are so designated that they would automatically conform to the modified airway. Accordingly, no amendment relating to such control areas would be necessary.

If this action is taken, the segment of VOR Federal airway No. 149 between Binghamton, N.Y., and Utica, N.Y., would be designated via Georgetown, N.Y.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2037; Filed, Mar. 4, 1960; 8:47 a.m.]

[14 CFR Part 600]

[Airspace Docket No. 59-WA-354]

FEDERAL AIRWAYS

Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 600.6153 of the regulations of the Administrator, the substance of which is stated below.

VOR Federal airway No. 153 presently extends, in part, from Wilkes-Barre, Pa., to Syracuse, N.Y. The Federal Aviation Agency has under consideration the modification of this segment of Victor 153 by realigning it from the Wilkes-Barre VOR via a VOR to be installed approximately July 15, 1960, near Georgetown, N.Y., at latitude 42°47'01" N., longitude 75°42'43" W., to the Syracuse VOR. This modification would

provide more precise navigational guidance on this segment of Victor 153. The control areas associated with Victor 153 are so designated that they would automatically conform to the modified airway. Accordingly, no amendment relating to such control areas would be necessary.

If this action is taken, the segment of VOR Federal airway No. 153 from Wilkes-Barre, Pa., to Syracuse, N.Y., would be designated from Wilkes-Barre via Georgetown, N.Y., to Syracuse, N.Y.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2033; Filed, Mar. 4, 1960; 8:47 a.m.]

[14 CFR Part 600]

[Airspace Docket No. 59-FW-103]

FEDERAL AIRWAYS

Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 600.6154 of the Regulations of the Administrator, the substance of which is stated below.

VOR Federal airway No. 154 presently extends, in part, from Macon, Ga., to Savannah, Ga. The Federal Aviation Agency has under consideration the modification of this segment of Victor 154 by realigning it from Macon, Ga., to Savannah, Ga., via a VOR to be installed approximately August 7, 1960 near Dublin, Ga., at latitude 32°30'54" N., longitude 83°07'56" W. This modification would provide more precise navigational guidance on this segment of Victor 154. The control areas associated with Victor 154 are so designated that they would automatically conform to the modified airway. Accordingly no amendment relating to such control areas would be necessary.

If this action is taken, the segment of VOR Federal airway No. 154 from Macon, Ga., to Savannah, Ga., would be redesignated via Dublin, Ga.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2038; Filed, Mar. 4, 1960; 8:47 a.m.]

[14 CFR Part 600]

[Airspace Docket No. 59-WA-441]

FEDERAL AIRWAYS

Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 600.6161 of the regulations of the Administrator, the substance of which is stated below.

VOR Federal airway No. 161 presently extends, in part, from Tulsa, Okla., to Butler, Mo. The Federal Aviation Agency has under consideration the modification of this segment of Victor 161 from the Tulsa VORTAC to the Butler VOR, by realigning it via a VOR to be installed approximately April 15, 1960, near Oswego, Kans., at latitude 37°09'27" N., longtitude 95°12'12" W. This modification would provide more precise navigational guidance along this airway. The control areas associated with Victor 161 are so designated that they would automatically conform to the modified airway. Accordingly, no amendment relating to such control areas would be necessary.

If this action is taken, the segment of VOR Federal airway No. 161 between Tulsa, Okla., and Butler, Mo., would be redesignated via Oswego, Kans.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2021; Filed, Mar. 4, 1960; 8:46 a.m.]

[14 CFR Part 600]

[Airspace Docket No. 59-WA-359]

FEDERAL AIRWAYS

Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering on amendment to § 600.6252 of the regulations of the Administrator, the substance of which is stated below.

VOR Federal airway No. 252 presently extends in part from Huguenot, N.Y., via the Herrick, N.Y., intersection to Binghamton, N.Y. The Federal Aviation Agency is considering modifying this segment of Victor 252 by realigning it from the Huguenot VOR direct to the Binghamton VOR. This modification would assist flight planning and air traffic management by providing a direct airway between the two terminals. The control areas associated with Victor 252 are so designated that they would automatically conform to the modified airway. Accordingly, no amendment relating to such control areas would be necessary.

If this action is taken, this segment of VOR Federal airway No. 252 would be designated from Huguenot, N.Y., direct to Binghamton, N.Y.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2031; Filed, Mar. 4, 1960; 8:47 a.m.]

[14 CFR Parts 600, 601]

[Airspace Docket No. 59-KC-18]

FEDERAL AIRWAYS, CONTROL AREAS AND REPORTING POINTS

Revocation of Segment

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § § 600.211, 601.211 and 601.4211 of the regulations of the Administrator, the substance of which is stated below.

Red Federal airway No. 11 presently extends, in part, from the intersection of the northeast course of the Tulsa, Okla., radio range and the south course of the Chanute, Kans., radio range (Claremore, Okla., intersection) via Springfield, Mo.; Vichy, Mo., to the intersection of a line bearing 052° True from the Vichy nondirectional radio beacon and the west course of the St. Louis, Mo., radio range (St. Peters, Mo., intersection). The Federal Aviation Agency has under consideration the revocation of this segment of Red 11. The Federal Aviation Agency IFR peak-day air traffic survey for the period July 1, 1958, through June 30, 1959, showed a maximum of ten aircraft movements between any two reporting points on this segment of Red 11. On the basis of this survey, it appears that the retention of this airway segment and its associated control areas is unjustified as an assignment of airspace and that the revocation thereof would be in the public interest. Concurrently with this action, the Springfield, Mo., radio range and the Vichy, Mo., nondirectional radio beacon would be revoked as reporting points.

If this action is taken, the segment of Red Federal airway No. 11 and associated control areas from the intersection of the northeast course of the Tulsa, Okla., radio range and the south course of the Chanute, Kans., radio range (Claremore, Okla., intersection) to the intersection of a line bearing 052° True from the Vichy Mo., nondirectional radio beacon and the west course of the St. Louis, Mo., radio range (St. Peters, Mo., intersection) would be revoked. The Springfield radio range and the Vichy nondirectional radio beacon would be revoked as reporting points.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2017; Filed, Mar. 4, 1960; 8:46 a.m.]

[14 CFR Parts 600, 601]

[Airspace Docket No. 59-KC-69]

FEDERAL AIRWAYS, CONTROL AREAS AND REPORTING POINTS

Revocation of Segment of Federal Airway

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to §§ 600.603, 601.603 and 601.4603 of the regulations of the Administrator, the substance of which is stated below.

Blue Federal airway No. 3 presently extends, in part, from Grand Rapids, Mich., to Sault Ste. Marie, Mich., via Traverse City, Mich. The Federal Aviation Agency has under consideration the revocation of the segment of Blue 3 from Grand Rapids to Sault Ste. Marie. The Federal Aviation Agency IFR peak-day airway traffic survey during the period July 1, 1958, to June 30, 1959, showed less than 5 aircraft movements between any two reporting points on this segment of Blue 3. On the basis of this survey, it appears that the retention of this airway segment and its associated control areas is unjustified as an assignment of airspace and that the revocation thereof would be in the public interest. Concurrently with this action, the Traverse City radio range station reporting point would be revoked.

If these actions are taken, the segment of Blue Federal airway No. 3 and its associated control areas from Grand Rapids, Mich., to Sault Ste. Marie, Mich., would be revoked and Traverse City, Mich., radio range station reporting point would be revoked.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or

arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2027; Filed, Mar. 4, 1960; 8:46 a.m.]

[14 CFR Parts 600, 601]

[Airspace Docket No. 60-NY-18]

FEDERAL AIRWAYS, CONTROL AREAS AND REPORTING POINTS

Revocation

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to Parts 600 and 601 of the regulations of the Administrator, the substance of which is stated below.

Red Federal airway No. 102 presently extends from Lexington, Ky., to Huntington, W. Va. The Federal Aviation Agency has under consideration the revocation of Red 102. The Federal Aviation Agency IFR peak day airway traffic survey for the period July 1, 1958, through June 30, 1959, shows a maximum of seven aircraft movements on this airway. On the basis of this survey, it appears that the retention of this airway and its associated control area is unjustified as an assignment of airspace and that the revocation thereof would be in the public interest.

If this action is taken, Red Federal airway No. 102 and its associated control area would be revoked. In addition, § 601.4302, relating to designated reporting points, would be revoked.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2034; Filed, Mar. 4, 1960; 8:47 a.m.]

[14 CFR Parts 600, 601]

[Airspace Docket No. 59-NY-63]

FEDERAL AIRWAYS, CONTROL AREAS AND REPORTING POINTS

Revocation

Pursuant to the authority delegated to me by the Administrator (§409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to Parts 600 and 601 of the regulations of the Administrator, the substance of which is stated below.

Blue Federal airways No. 58 presently extends from Hyannis, Mass., to Squantum, Mass. The Federal Aviation Agency has under consideration the revocation of Blue Federal airway No. 58. A Federal Aviation Agency IFR peak-day air traffic survey during the period from July 1, 1958, through June 30, 1959, showed less than three aircraft movements on the airway. On the basis of this survey, it appears that the retention of this airway and its associated control areas is unjustified as an assignment of airspace and that revocation thereof would be in the public interest. Concurrently, § 601.4658, relating to associated reporting points would be revoked.

If these actions are taken, Blue Federal airway No. 58, its associated control areas and reporting points would be revoked.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2018; Filed, Mar. 4, 1960; 8:46 a.m.]

[14 CFR Parts 600, 601]

[Airspace Docket No. 59-LA-8]

FEDERAL AIRWAYS AND CONTROL AREAS

Designation and Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to §§ 600.6012, 600.6019, 600.6190, 601.6019 and 601.6190 of the regulations of the Administrator, the substance of which is stated below.

VOR Federal airway No. 12 extends, in part, from the Winslow, Ariz., VOR to the Albuquerque, N. Mex., VOR via the Zuni, N. Mex., VOR, and the Grants, N. Mex., VOR, including a north alternate from the Winslow VOR to the Zuni VOR via the intersection of the Winslow VOR 076° and the Zuni VOR 287° True radials and including a south alternate from the Winslow VOR to the Zuni VOR via the Winslow VOR 109° and the Zuni VOR 252° True radials, and a south alternate from Zuni to Albuquerque via the intersection of the Zuni VOR 108° and the Albuquerque VOR 354° True radials. The Federal Aviation Agency has under consideration the modification of VOR Federal airway No. 12 by revoking the north alternate from Winslow to Zuni; revoking the south alternate between Zuni and Albuquerque; and by designating a south alternate between Zuni and Grants via the intersection of the Zuni VOR 108° and the Grants 252° True radials. The control areas associated with Victor 12 are so designated that they would automatically conform to the modern airway. Accordingly, no amendment relating to such control areas would be necessary.

VOR Federal airway No. 19 extends, in part, from the Socorro, N. Mex., VOR via the intersection of the Socorro VOR 015° and the Albuquerque, N. Mex., VOR 160° True radials; the Albuquerque VOR; intersection of the Albuquerque VOR 026° and the Santa Fe, N. Mex., VOR 253° True radials; to the Santa Fe VOR. The Federal Aviation Agency has under consideration designation of a west alternate to Victor 19 from the Socorro VOR via the intersection of the Socorro VOR 333° and the Albuquerque VOR 210° True radials to the Albuquerque VOR; and redesignation of Victor 19 from the Albuquerque VOR direct to the Santa Fe VOR, including a west alternate via the intersection of the Albuquerque VOR 026° and the Santa Fe VOR 253° True radials.

VOR Federal airway No. 190 extends, in part, from the St. Johns, N. Mex., VOR via the Grants VOR; Santa Fe VOR; to the Las Vegas, N. Mex., VOR. The Federal Aviation Agency has under consideration redesignation of Victor 190 from the St. Johns VOR via the Albuquerque, N. Mex., VOR, to the Las Vegas, Nev., VOR, including a north alternate via the intersection of the St. Johns VOR 053° and the Grants VOR 252° True radials; Grants VOR; to the Albuquerque VOR.

The dual airway structures established by these actions would facilitate air traffic management by providing preferential inbound and outbound routings in the Albuquerque area. In addition, the realigned airways would provide the means for separating climbing and descending aircraft from traffic on the main airways. The west alternate to Victor 19, as proposed, between Socorro and Albuquerque would traverse the Albuquerque Restricted Area (R–313). However, the restricted area is also designated as a control area and is normally available for use by air traffic during IFR weather conditions. The west alternate to Victor 19, as proposed, between Albuquerque and Santa Fe would permit retention of the present 9,000 feet MSL minimum en route altitude for unpressurized aircraft and aircraft destined for either terminal. The north alternate to Victor 12 between Winslow and Zuni is proposed for revocation since the main airway segment and south alternate to Victor 12 provide adequate airway structure for VHF equipped aircraft operating between these points. Therefore, it appears that Victor 12 north alternate from Winslow to Zuni is an unnecessary assignment of airspace and that revocation thereof would be in the public interest.

If these actions are taken, the segments of VOR Federal airways No. 12, 19 and 190, under consideration, together with their associated control areas, would be designated as follows:

1. VOR Federal airway No. 12 from Winslow, Ariz., VOR via the Zuni, N. Mex., VOR, including a south alternate via the intersection of the Winslow VOR 109° and the Zuni VOR 252° True radials; Grants, N. Mex., VOR, including a south alternate via the Zuni VOR 108° and the Grants VOR 252° True radials; to the Albuquerque, N. Mex., VOR.

2. VOR Federal airway No. 19 from the Socorro, N. Mex., VOR via the intersection of the Socorro VOR 015° and the Albuquerque, N. Mex., VOR 160° True radials; Albuquerque VOR including a west alternate via the Socorro VOR 333° and the Albuquerque VOR 210° True radials; Santa Fe, N. Mex., VOR, including a west alternate via the Albuquerque VOR 026° and the Santa Fe VOR 253° True radials.

3. VOR Federal airway No. 190 from the St. Johns, N. Mex., VOR via the Albuquerque, N. Mex., VOR, including a north alternate via the intersection of the St. Johns VOR 053° and the Grants, N. Mex., VOR 252° True radials, the Grants VOR; to the Las Vegas, N. Mex., VOR.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 45, Calif. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B–316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60–2025; Filed, Mar. 4, 1960; 8:46 a.m.]

[14 CFR Parts 600, 601]

[Airspace Docket No. 59–LA–84]

FEDERAL AIRWAYS AND CONTROL AREAS

Modification and Revocation

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to Parts 600 and 601 and § 600.6019 of the Regulations of the Administrator, the substance of which is stated below.

VOR Federal airway No. 19 presently extends, in part, from Las Vegas, N. Mex., to Pueblo, Colo., via Raton, N. Mex. VOR Federal airway No. 197 presently extends from Las Vegas, N. Mex., to Pueblo, Colo. The Federal Aviation Agency has under consideration modification of this segment of Victor 19 by redesignating it from the Las Vegas VOR via a VOR (relocated from Raton, N. Mex.) which will be commissioned approximately May 1, 1960, near Cimarron, N. Mex., at latitude 36°29'30" N., longitude 104°52'18" W., to the Pueblo VOR. It is also proposed to revoke Victor 19 east alternate from Las Vegas to Raton, and designate and east alternate to Victor 19 from Cimarron VOR to Pueblo via the intersection of the Cimarron VOR 026° and the Pueblo VOR 176° True radials. This realignment of Victor 19 via the Cimarron VOR would provide more precise navigational guidance for VHF equipped aircraft operating between Las Vegas and Pueblo. The designation of Victor 19 east alternate between Cimarron and Pueblo would facilitate air traffic management by providing an additional departure route out of Pueblo as well as a route for changing altitude of aircraft while maintaining optimum use of the main airway segment for aircraft en route between these terminals. Concurrently, the Federal Aviation Agency is considering revocation of Victor 197 and its associated control areas between Las Vegas and Pueblo. The redesignated Victor 19, as proposed herein, would be contiguous to Victor 197 between Las Vegas and Pueblo. Therefore, retention of Victor 197 would be an unnecessary duplication of airspace assignment. The control areas associated with Victor 19 are so designated that they would automatically conform to the modified airway. Accordingly, no amendment relating to such control areas would be necessary.

If these actions are taken, the segment of VOR Federal airway No. 19 between Las Vegas, N. Mex., and Pueblo, Colo., would be designated via Cimarron, N. Mex., with an east alternate designated from Cimarron to Pueblo via the intersection of the Cimarron VOR 026° and the Pueblo VOR 176° True radials. VOR Federal airway No. 197 and its associated control areas, Las Vegas, N. Mex., to Pueblo, Colo., would be revoked.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 45, Calif. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal

Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2029; Filed, Mar. 4, 1960; 8:46 a.m.]

[14 CFR Parts 600, 601]

[Airspace Docket No. 59-FW-106]

FEDERAL AIRWAYS AND CONTROL AREAS

Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to §§ 600.6051 and 601.6051 of the regulations of the Administrator, the substance of which is stated below.

VOR Federal airway No. 51 presently extends, in part, from Jacksonville, Fla., to Macon, Ga., including an east alternate from Jacksonville to Macon via the intersection of the Jacksonville VOR 334° and the Macon VOR 125° True radials. The Federal Aviation Agency is considering redesignating this east alternate from Jacksonville to Alma, Ga., via the Jacksonville VOR 334° and the Alma 133° True radials. This would provide a preferential northbound departure route for aircraft departing Jacksonville via Victor 51 east to join Victor 51 at Alma. The present east alternate does not permit aircraft to join Victor 51 until reaching Macon.

If this action is taken, VOR Federal airway No. 51 east alternate and its associated control areas between Jacksonville, Fla., and Macon, Ga., would be modified to extend from Jacksonville to Alma, Ga., via the intersection of the Jacksonville VOR 334° and the Alma, Ga., 133° True radials. In addition that airspace between Victor 51 east alternate and Victor 51 between these points would be designated as control area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2024; Filed, Mar. 4, 1960; 8:46 a.m.]

[14 CFR Parts 600, 601]

[Airspace Docket No. 59-LA-48]

FEDERAL AIRWAYS AND CONTROL AREAS

Designation and Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to Parts 600 and 601, and §§ 600.6081, 600.6089, 600.6095, 601.6081, 601.6089 and 601.6095 of the regulations of the Administrator, the substance of which is stated below.

The Federal Aviation Agency has under consideration the following proposed airspace actions.

1. Modification of VOR Federal airway No. 95 which is presently designated from Phoenix, Ariz., to Farmington, N. Mex. It is proposed to extend Victor 95 from the Farmington VOR via the Gunnison, Colo., VOR to the Kiowa, Colo., VOR.

2. Modification of VOR Federal airway No. 89 which is presently designated from Denver, Colo., to Rapid City, S. Dak. It is proposed to extend Victor 89 from the Denver VOR via the intersection of the Denver VOR 207° and the Alamosa, Colo., VOR 005° True radials to the Alamosa VOR.

3. Revocation of the segment of VOR Federal airway No. 81 and its associated control areas between the Grand Junction, Colo., VOR and the Salt Lake City, Utah, VOR.

4. Designation of VOR Federal airway No. 484 from the Alamosa VOR via the intersection of the Alamosa VOR 339° and the Gunnison VOR 110° True radials; Gunnison VOR to the Grand Junction, Colo., VOR, including a south alternate via the intersection of the Gunnison VOR 264° and the Grand Junction VOR 129° True radials; thence via the Myton, Utah, VOR to the Salt Lake City VOR.

5. Designation of VOR Federal airway No. 486 from the Tuba City, Ariz., VOR via the Dove Creek, Colo., VOR to the Gunnison VOR.

The airspace actions proposed herein would provide additional routes in the area southwest of Denver, Colo., which would facilitate the air traffic management of arriving and departing aircraft from the airports in this area. It would also permit aircraft departing the Denver terminal area southbound to make on-course climbs, which would improve the traffic flow by reducing mileage and flying time. It would provide additional routes for aircraft transition to coded jet routes and would provide a bypass route south of the Denver terminal area for transcontinental air traffic.

If these actions are taken:

1. VOR Federal airway No. 95 and associated control areas would be extended from Farmington, N. Mex., to Kiowa, Colo., via Gunnison, Colo.

2. VOR Federal airway No. 89 and associated control areas would be extended from Denver, Colo., to Alamosa, Colo., via the intersection of the Denver VOR 207° and the Alamosa VOR 005° True radials.

3. VOR Federal airway No. 81 segment and its associated control areas from Grand Junction, Colo., to Salt Lake City, Utah, would be revoked.

4. VOR Federal airway No. 484 and its associated control areas would be designated from Alamosa, Colo., to Salt Lake City, Utah, via the intersection of the Alamosa VOR 339° and the Gunnison, Colo., VOR 110° True radials, thence via Gunnison, Colo., Grand Junction, Colo., including a south alternate via the intersection of the Gunnison VOR 264° and the Grand Junction VOR 129° True radials, and Myton, Utah, to Salt Lake City.

5. VOR Federal airway No. 486 and its associated control areas would be designated from Tuba City, Ariz., to Gunnison, Colo., via Dove Creek, Colo.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 45, Calif. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrange-

ments for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B–316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60–2032; Filed, Mar. 4, 1960; 8:47 a.m.]

[14 CFR Parts 600, 601]

[Airspace Docket No. 59–NY–61]

FEDERAL AIRWAYS AND CONTROL AREAS

Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to §§ 600.6189, 600.6260, 601.6189 and 601.6260 of the regulations of the Administrator, the substance of which is stated below.

VOR Federal airway No. 189 presently extends from the Rocky Mount, N.C., VOR to the Franklin, Va., VOR. VOR Federal airway No. 260 presently extends from Charleston, W. Va., to Richmond, Va. The Federal Aviation Agency has under consideration the extension of Victor 189 from the Franklin VOR to the Hopewell, Va., VOR and the extension of Victor 260 from the Richmond VOR to the Hopewell VOR thence via the Hopewell VOR 134° True radial to its intersection with VOR Federal airway No. 1. The extension of these airways would provide additional airways for the air traffic management of arriving and departing aircraft to and from the Norfolk, Va., terminal area.

If these actions are taken, VOR Federal airway No. 189 and its associated control areas would be extended from Franklin, Va., to Hopewell, Va., VOR Federal airway No. 260 and its associated control areas would be extended from Richmond, Va., to Hopewell, Va., thence via the Hopewell VOR 134° True radial to its intersection with VOR Federal airway No. 1.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B–316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60–2013; Filed, Mar. 4, 1960; 8:45 a.m.]

[14 CFR Parts 600, 601]

[Airspace Docket No. 59–WA–355]

FEDERAL AIRWAYS AND CONTROL AREAS

Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to §§ 600.6273 and 601.6273 of the regulations of the Administrator, the substance of which is stated below.

VOR Federal airway No. 273 presently extends from De Lancey, N.Y., to Syracuse, N.Y., via the intersection of the De Lancey VOR 289° True radial with the Binghamton, N.Y., VOR direct radial to the Rockdale, N.Y., VOR. The Federal Aviation Agency has under consideration modification and extension of Victor 273 by designating it from the Huguenot, N.Y., VOR via a VOR to be installed approximately July 15, 1960, near Hancock, N.Y., at Lat. 41°59'36" N., Long. 75°11'-23" W.; a VOR to be installed approximately July 15, 1960, near Georgetown, N.Y., at Lat. 42°47'01' N., Long. 72°42'-43" W., thence to the Syracuse, N.Y., VOR. This extension and modification of Victor 273 would provide a more direct route and would facilitate the air traffic management of VHF equipped aircraft operating between the New York City and Syracuse terminal areas.

If this action is taken, VOR Federal airway No. 273 and its associated control areas would be designated from Huguenot, N.Y., via Hancock, N.Y., Georgetown, N.Y., to Syracuse, N.Y.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B–316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60–2030; Filed, Mar. 4, 1960; 8:47 a.m.]

[14 CFR Parts 600, 601]

[Airspace Docket No. 59–WA–356]

FEDERAL AIRWAYS AND CONTROL AREAS

Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to §§ 600.6428 and 601.6428 of the regulations of the Administrator, the substance of which is stated below.

VOR Federal airway No. 428 presently extends, in part, from Ithaca, N.Y., to the Munnsville, N.Y., Intersection. The Federal Aviation Agency has under consideration modification and extension of this segment of Victor 428 by redesignating it from the Ithaca VOR via a VOR to be installed approximately July 15,

1960, near Georgetown, N.Y., at Lat. 42°47'01" N., Long. 75°42'43" W., to the Utica, N.Y., VOR. This modification would provide more precise navigational guidance and a more direct airway for VHF equipped aircraft operating between the Ithaca, N.Y., and Utica, N.Y., terminals.

If this action is taken, VOR Federal airway No. 428 segment and its associated control areas would be designated from Ithaca, N.Y., via Georgetown, N.Y., to Utica, N.Y.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2028; Filed, Mar. 4, 1960; 8:46 a.m.]

[14 CFR Parts 600, 601]

[Airspace Docket No. 59-WA-293]

FEDERAL AIRWAYS AND CONTROL AREAS

Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to §§ 600.6278 and 601.6278 of the regulations of the Administrator, the substance of which is stated below.

VOR Federal airway No. 278 presently extends, in part, from Columbus, Miss., to Birmingham, Ala. The Federal Aviation Agency is considering designating a south alternate to this segment of Victor 278 via the Millport, Ala., Intersection (intersection of the Columbus 082° and the Tuscaloosa 304° True radials) and the Tuscaloosa, Ala., VOR. This action would provide an alternate airway for climbing and descending aircraft en route to and departing from the Birmingham terminal area.

If this action is taken, VOR Federal airway No. 278 and its associated control areas would be modified by designating a south alternate from the Columbus, Miss., VOR via the intersection of the Columbus VOR 082° and the Tuscaloosa, Ala., 304° True radials, the Tuscaloosa VOR, to the Birmingham, Ala., VOR.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2014; Filed, Mar. 4, 1960; 8:45 a.m.]

[14 CFR Part 601]

[Airspace Docket No. 59-WA-371]

CONTROL ZONES

Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 601.2287 of the regulations of the Administrator, the substance of which is stated below.

The San Antonio, Tex., control zone is presently designated within a 5-mile radius of Randolph Air Force Base and within 5 miles either side of a line extending from Randolph AFB to the La Vernia, Tex., radio beacon. The Federal Aviation Agency is considering reducing the size of the San Antonio control zone (Randolph AFB) by redesignating it within a 5-mile radius of the Randolph AFB; within 2 miles either side of the 336° True bearing from the La Vernia, Tex., radio beacon, extending from the 5-mile radius zone to the La Vernia radio beacon; within 2 miles either side of the La Vernia VOR 338° True radial extending from the 5-mile radius zone to the La Vernia VOR; and within 2 miles either side of the 329° True bearing from the Randolph radio beacon, extending from the 5-mile radius zone to the Randolph radio beacon. The modified control zone would provide adequate protection for aircraft conducting currently prescribed instrument approaches to Randolph AFB.

If this action is taken, the San Antonio, Tex., control zone (Randolph AFB) would be redesignated within a 5-mile radius of Randolph Air Force Base (latitude 29°32'09" N., longitude 98°16'57" W.), within 2 miles either side of the 336° True bearing from the La Vernia, Tex., radio beacon, extending from the 5-mile radius zone to the La Vernia radio beacon; within 2 miles either side of the La Vernia VOR 338° True radial, extending from the 5-mile radius zone to the La Vernia VOR; and within 2 miles either side of the 329° True bearing from the Randolph radio beacon, extending from the 5-mile radius zone to the Randolph radio beacon.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2016; Filed, Mar. 4, 1960; 8:46 a.m.]

[14 CFR Part 602]

[Airspace Docket No. 60-WA-22]

CODED JET ROUTES

Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 602.531 of the regulations of the Administrator, the substance of which is stated below.

VOR/VORTAC jet route No. 31 is presently designated, in part, from Dallas, Tex., to Texarkana, Ark. The Federal Aviation Agency is considering modifying this segment of Jet Route 31-V by redesignating it from Houston, Tex., to Texarkana. The Dallas to Texarkana route appears to be adequately served by VOR/VORTAC jet routes No. 42 and 52. Therefore, the redesignation of the segment of Jet Route 31-V from Houston to Texarkana would facilitate flight planning and air traffic management by simplifying the jet route structure between Dallas and Texarkana and by providing a jet route from Houston to Texarkana direct station-to-station.

If this action is taken, the segment of VOR/VORTAC jet route No. 31 from Dallas to Texarkana would be redesignated to extend from Houston to Texarkana.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Utilization Division. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2020; Filed, Mar. 4, 1960; 8:46 a.m.]

[14 CFR Part 602]

[Airspace Docket No. 60-WA-16]

CODED JET ROUTES

Modification of Segment

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 602.560 of the regulations of the Administrator, the substance of which is stated below.

VOR/VORTAC jet route No. 60 presently extends, in part, from Cleveland, Ohio, to Allentown, Pa., via the intersection of the Cleveland VOR 079° and the Allentown VOR 288° True radials. The Federal Aviation Agency has under consideration the modification of this segment of Jet Route 60-V by realigning it from the Cleveland VOR to the Allentown VOR via the Philipsburg, Pa., VOR. This modification would assist air traffic management and facilitate flight planning by providing a more direct route between these terminals.

If this action is taken, the segment of VOR/VORTAC jet route No. 60 from Cleveland, Ohio, to Allentown, Pa., would be modified by realigning it via Philipsburg, Pa.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Utilization Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2022; Filed, Mar. 4, 1960; 8:46 a.m.]

[14 CFR Part 602]

[Airspace Docket No. 59-WA-127]

CODED JET ROUTES

Notice of Withdrawal

In a notice of proposed rule making published in the FEDERAL REGISTER as Airspace Docket No. 59-WA-127 on January 1, 1960 (25 F.R. 85), it was stated that the Federal Aviation Agency proposed to redesignate the segment of VOR/VORTAC jet route No. 14 from Des Moines, Iowa, to Allentown, Pa., via the Joliet, Ill., VOR, the Cleveland, Ohio, VOR, the intersection of the Cleveland VOR 079° and the Allentown VOR 288° True radials to the Allentown VOR. Other airspace actions now under consideration, including modification to the jet route structure between Des Moines and Allentown, would eliminate the requirement for realigning Jet Route 14V as proposed in Airspace Docket No. 59-WA-127.

In consideration of the foregoing, the notice of proposed rule making contained in Airspace Docket No. 59-WA-127 is hereby withdrawn.

Sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752, 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2039; Filed, Mar. 4, 1960; 8:47 a.m.]

[14 CFR Part 602]

[Airspace Docket No. 60-WA-13]

CODED JET ROUTES

Establishment

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to Part 602 of the regulations of the Administrator, the substance of which is stated below.

The Federal Aviation Agency has under consideration the establishment of VOR/VORTAC jet route No. 70 between Seattle, Wash., and New York, N.Y., via the intersection of the Seattle, Wash., VOR 091° and the Mullan Pass, Idaho, VOR 269° True radials; Mullan Pass VOR; Lewiston, Mont., VOR; Dickinson, N. Dak., VOR; Aberdeen, S. Dak., VOR; Minneapolis, Minn., VOR; intersection of the Minneapolis VOR 109° and the Milwaukee, Wis., VOR 312° True radials; Milwaukee VOR; Pullman, Mich., VOR; intersection of the Pullman VOR 091° and the Windsor, Ontario, VOR 278° True radials; thence via the Windsor VOR 278° True radial to the United States/Canadian border, from the United States/Canadian border at its point of intersection with the Erie, Pa., VOR 278° True radial; thence via the Erie VOR; Allentown, Pa., VOR; to the Idlewild, N.Y., VOR. The establishment of this jet route would provide a route for transcontinental turbojet service which will be inaugurated approximately

April 1, 1960, between Seattle and New York City. Aircraft proceeding into the Province of Ontario, Canada, via this jet route would operate within Canada via Canadian VOR airway No. 116.

If this action is taken, VOR/VORTAC jet route No. 70 will be established within the United States from Seattle, Wash., to New York, N.Y., via the intersection of the Seattle VOR 091° and the Mullan Pass, Idaho, VOR 269° True radials; Mullan Pass VOR; Lewiston, Mont., VOR; Dickinson, N. Dak., VOR; Aberdeen, S. Dak., VOR; Minneapolis, Minn., VOR; intersection of the Minneapolis VOR 109° and the Milwaukee, Wis., VOR 312° True radials; Milwaukee VOR; Pullman, Mich., VOR; intersection of the Pullman VOR 091° and the Windsor, Ont., VOR 278° True radials; via the Windsor VOR 278° True radial to the United States/Canadian border. From the United States/Canadian border at its point of intersection with the Erie, Pa., VOR 278° True radial; via the Erie VOR; Allentown, Pa., VOR to the Idlewild, N.Y., VOR.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Utilization Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 29, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-2035; Filed, Mar. 4, 1960; 8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket No. 13389; FCC 60-191]

RADIO BROADCAST SERVICES

Extension of Time for Filing Comments

In the matter of amendment of §§ 3.119, 3.289, 3.654 and 3.789 of the Commission's rules.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 29th day of February 1960;

The Commission having before it for consideration (1) its Notice of Proposed Rule Making in the above-captioned matter released on February 8, 1960, providing for the filing of comments with respect to its proposals on or before March 1, 1960; and (2) a "Request for Extension of Time Within Which To File Comments" filed on February 26, 1960 by the National Association of Broadcasters; and

It appearing that the National Association of Broadcasters requests an extension of time for the filing of said comments to March 22, 1960 and for filing of reply comments to March 31, 1960; and that it is alleged, among other things, that such extension will enable petitioner and "other interested parties to devote further time to an evaluation of the possible wide ramifications present in the proposed language" of the above-captioned amendment; and

It further appearing that the grant of the requested extension will serve the public interest, convenience and necessity;

It is ordered, That time within which comments may be filed in the above-captioned proceeding is extended to March 22, 1960 and that the time for filing reply comments is extended to March 31, 1960.

Released: March 1, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 60-2078; Filed, Mar. 4, 1960; 8:51 a.m.]

Notices

ATOMIC ENERGY COMMISSION

[Docket No. 50-78]

AMERICAN RADIATOR AND STANDARD SANITARY CORP.

Termination of Utilization Facility License

Notice is hereby given that in compliance with the request by American Radiator and Standard Sanitary Corporation set forth in its letter dated November 25, 1959, Facility License R-41 has been terminated this date without prejudice to future submittal of an application for construction permit and facility license for construction and operation of a facility at American-Standard's Mountain View, California site.

Dated at Germantown, Md., this 29th day of February 1960.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division of Licensing and Regulation.

[F.R. Doc. 60-2000; Filed, Mar. 4, 1960; 8:45 a.m.]

[Docket No. 50-158]

AMERICAN RADIATOR AND STANDARD SANITARY CORP.

Notice of Issuance of Construction Permit and Utilization Facility License

Please take notice that the Atomic Energy Commission has issued this day Construction Permit No. CPRR-50 set forth below as Appendix A authorizing construction by American Radiator and Standard Sanitary Corporation hereinafter referred to as American-Standard of a one watt graphite- and light water-moderated UTR-1 nuclear reactor designated Exhibtion UTR-Model II at Mountain View, California.

Upon finding that the facility authorized has been constructed in accordance with the terms of the construction permit and will operate in conformity with the application and the provisions of the Atomic Energy Act and of the rules and regulations of Atomic Energy Commission, and in the absence of any good cause being shown to the Commission why the granting of a license would not be in accordance with the provisions of the Atomic Energy Act, the Commission will issue a Class 104 license to American Radiator and Standard Sanitary Corporation substantially as set forth below as Annex B without further prior public notice.

The Commission has found that prior public notice of proposed issuance of the construction permit and facility license is not necessary in the public interest since construction of the reactor and the conduct of the proposed experiments would not present any substantial change in the hazards to the health and safety of the public from those previously considered and evaluated in connection with the previously approved operation of a substantially similar facility at the same site.

The substantially similar facility, a Model UTR-1 reactor, was constructed and operated by American-Standard under AEC license at the same location at the Company's Mountain View, California plant as will the reactor authorized by the construction permit and license set forth below.

In accordance with the Commission's rules of practice (10 CFR Part 2), the Commission will direct the holding of a formal hearing on the matter of issuance of construction permit and facility license upon receipt of a request therefor from the licensee or an intervener within 30 days after the issuance of the construction permit. Requests for formal hearing should be addressed to the Secretary at the AEC's office in Germantown, Md., or at the AEC Public Document Room, 1717 H Street, NW., Washington, D.C.

For further details see (1) the application for license dated January 29, 1960 and amendments thereto, submitted by American Radiator and Standard Sanitary Corporation, (2) a hazards analysis of the Exhibition UTR-Model II prepared by the Chief, Hazards Evaluation Branch, Division of Licensing and Regulation, and (3) two hazards analyses of the UTR-1 reactor prepared by the Director, Division of Licensing and Regulation, dated December 19, 1958, and October 10, 1957, all on file at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. Copies of items (2) and (3) may be obtained at the Commission's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington 25, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Germantown, Md., this 29th day of February 1960.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division of Licensing and Regulation.

[Annex A—Construction Permit CPRR-50]

Construction Permit

1. By application dated January 29, 1960, and amendments thereto dated February 12, 1960, February 15, 1960, February 16, 1960, and February 25, 1960 (hereinafter collectively referred to as "the application"), American Radiator and Standard Sanitary Corporation (hereinafter "American-Standard") requested a Class 104 license, defined in § 50.21 of Part 50, "Licensing of Production and Utilization Facilities", Title 10, Chapter I, CFR, authorizing construction and operation at American-Standard's site in Mountain View, California, of a nuclear reactor (hereinafter referred to as "the reactor") described as a one watt (thermal) graphite- and light water-moderated reactor, designated the "Exhibition UTR Model II", of the UTR-1 series.

2. The Atomic Energy Commission (hereinafter referred to as "the Commission") finds that:

A. The reactor will be a utilization facility as defined in the Commission's regulations contained in Title 10, Chapter 1, CFR, Part 50, "Licensing of Production and Utilization Facilities".

B. The reactor will be used in the conduct of research and development activities of the types specified in section 31 of the Atomic Energy Act of 1954, as amended (hereinafter referred to as "the Act").

C. American-Standard is financially qualified to construct and operate the reactor in accordance with the regulations contained in Title 10, Chapter 1, CFR, to assume financial responsibility for the payment of Commission charges for special nuclear material and to undertake and carry out the proposed use of such material for a reasonable period of time.

D. American-Standard is technically qualified to design and to construct the reactor.

E. American-Standard has submitted sufficient information to provide reasonable assurance that the reactor can be constructed and operated at the proposed location without undue risk to the health and safety of the public.

F. The issuance of a construction permit to American-Standard will not be inimical to the common defense and security or to the health and safety of the public.

3. Pursuant to the Atomic Energy Act of 1954 and Title 10, CFR, Chapter 1, Part 50, "Licensing of Production and Utilization Facilities", the Commission hereby issues a construction permit to American-Standard to construct the reactor as a utilization facility. This permit shall be deemed to contain and be subject to the conditions specified in Sections 50.54 and 50.55 of said regulations; is subject to all applicable provisions of the Atomic Energy Act of 1954 and rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

A. The earliest date for the completion of the reactor is February 29, 1960. The latest date for completion of the reactor is March 20, 1960. The term "completion date" as used herein means the date on which construction of the reactor is completed except for the introduction of the fuel material.

B. The site proposed for the location of the reactor is the location in Mountain View, California, specified in the application.

4. Upon completion (as defined in paragraph "1" above) of the construction of the reactor in accordance with the terms and conditions of this permit, and upon finding that the facility authorized has been constructed and will operate in conformity with the application, and the provisions of the Act and of the rules and regulations of the Commission, and in the absence of any good cause being shown to the Commission why the granting of a license would not be in accordance with the provisions of the Act, the Commission will issue a Class 104 license to American-Standard pursuant to section 104c of the Act, which license shall expire at midnight, February 28, 1961.

Date of issuance: February 29, 1960.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division of Licensing and Regulation.

ANNEX B

Proposed License

1. This license applies to the one watt graphite and light water-moderated, nuclear reactor (hereinafter referred to as "the reactor") designated as the "Exhibition UTR–Model II" of the UTR–1 series, owned by American Radiator and Standard Sanitary Corporation (hereinafter "American-Standard") and located at Mountain View, California, and described in the application dated January 29, 1960, and amendments thereto dated February 12, 1960, February 15, 1960, February 16, 1960 and February 25, 1960 (hereinafter collectively referred to as "the application").

2. Pursuant to the Atomic Energy Act of 1954, as amended (hereinafter referred to as "the Act"), and having considered the record in this matter, the Atomic Energy Commission (hereinafter referred to as "the Commission") finds that:

A. The reactor has been constructed in conformity with Construction Permit No. CPRR–50 issued to American-Standard and will operate in conformity with the application and in conformity with the Act and with the rules and regulations of the Commission.

B. There is reasonable assurance that the reactor can be operated at the designated location without endangering the health and safety of the public.

C. American-Standard is technically and financially qualified to operate the reactor and to assume financial responsibility for payment of Commission charges for special nuclear material and to undertake and carry out the proposed use of such material for a reasonable period of time.

D. The possession and operation of the reactor and the receipt, possession and use of the special nuclear material in the manner proposed in the application will not be inimical to the common defense and security or to the health and safety of the public.

E. American-Standard has filed with the Commission proof of financial protection which satisfies the requirements of Commission regulations currently in effect.

3. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses American-Standard:

A. Pursuant to Section 104c of the Act and Title 10, CFR, Chapter I, Part 50, "Licensing of Production and Utilization Facilities", to possess and operate the reactor as a utilization facility at the designated location in Mountain View, California, in accordance with the procedures and limitations described in the application.

B. Pursuant to the Act and Title 10, CFR, Chapter I, Part 70, "Special Nuclear Material", to possess and use up to 3502 grams of contained uranium–235 in connection with operation of the reactor.

C. Pursuant to the Act and Title 10, CFR, Chapter I, Part 70, "Special Nuclear Material", to possess and use in connection with operation of the reactor up to 16 grams of plutonium encapsulated as a plutonium-beryllium neutron source.

D. Pursuant to the Act and Title 10, CFR, Chapter 1, Part 30, "Licensing of Byproduct Material", to possess, but not to separate such byproduct material as may be produced from operation of the reactor.

4. This license shall be deemed to contain and be subject to the conditions specified in Section 50.54 of Part 50 and Section 70.32 of Part 70, Title 10, CFR, and to be subject to all applicable provisions of the Act, and to the rules and regulations and orders of the Commission now or hereafter in effect, and to the additional conditions specified below:

A. American-Standard shall not operate the reactor at power levels in excess of one watt without prior authorization by the Commission.

B. American-Standard shall not perform any experiment in the reactor other than those described in the application without prior authorization by the Commission.

C. In addition to those otherwise required under this license and applicable regulations, American-Standard shall keep the following records:

1. Reactor operating records, including power levels.

2. Records of in-pile irradiations.

3. Records showing radioactivity released or discharged into the air or water beyond the effective control of American-Standard as measured at the point of such release or discharge.

4. Records of emergency reactor scrams, including reasons for emergency shutdowns.

D. American-Standard shall immediately report to the Commission in writing any indication or occurrence of a possible unsafe condition relating to the operation of the reactor.

5. This license is effective as of the date of issuance and shall expire at midnight February 28, 1961.

Date of issuance:

For the Atomic Energy Commission.

[F.R. Doc. 60–2001; Filed, Mar. 4, 1960; 8:45 a.m.]

FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES

ITALIAN CLAIMS PROGRAM

Termination

Public notice is hereby given that the Foreign Claims Settlement Commission has set May 31, 1960 as the terminal date of the Italian Claims program provided for under the terms of section 304, International Claims Settlement Act of 1949, 22 U.S.C. 1641(a).

ANDREW T. MCGUIRE,
General Counsel.

[F.R. Doc. 60–2063; Filed, Mar. 4, 1960; 8:50 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

STATEMENT OF ORGANIZATION, DELEGATIONS OF AUTHORITY, AND OTHER INFORMATION

Miscellaneous Amendments

The Commission has had under consideration the desirability of making certain editorial changes in its Statement of Organization, Delegations of Authority, and Other Information.

The purpose of the amendments adopted herein is to more accurately and completely describe the Commission's organization, delegations of authority, and facilities for providing the public with information, to delete surplus and obsolete material, to correct references, and to obtain greater conformity with the Commission's rules and regulations.

It appearing that the amendments adopted herein pertain to Commission management and organization, practice and procedure, and that such amendments are editorial in nature, and hence that compliance with the public notice, procedural, and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary; and

It further appearing that the amendments adopted herein are issued pursuant to authority contained in sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and section 0.341(a) of the Commission's Statement of Organization, Delegations of Authority, and Other Information;

It is ordered, This 24th day of February 1960, that effective February 24, 1960, the Commission's Statement of Organization, Delegations of Authority and Other Information is amended as set forth below.

Released: February 25, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

1. Paragraphs (a) and (b) of section 0.24 are amended to read as follows:

SEC. 0.24 *The Office of the Bureau Chief.*

* * * * *

(a) Office of Accounting Systems, which formulates uniform systems of accounts, regulations for preservation of records, annual report forms, and related rules and regulations, cooperates with committees of the National Association of Railroad and Utilities Commissioners dealing with the foregoing matters, collects, processes, compiles and publishes common carrier statistical data, and appraises on an across-industry basis technological developments in the art and other innovations having applications in the communications common carrier field.

(b) Office of the Field Coordinator, which supervises and coordinates the work of the Common Carrier Bureau Field Offices. The field offices are located at 90 Church Street, New York 7, N.Y., 180 New Montgomery Street, San Francisco, Calif., and 815 Olive St., St. Louis, Mo. They are responsible for conducting investigations and studies on any problem assigned by the Office of the Chief of the Bureau, representing the Commission in contacts with the public and the carriers, and conducting compliance activities to assure that there is adherence to the Communications Act and Commission rules and regulations.

2. Section 0.25 is amended to read as follows:

SEC. 0.25 *Telegraph Division.* The Telegraph Division is responsible for the Bureau's functions pertaining to domestic telegraph matters and telephone operations of carriers engaged principally in record communication, except for rules and applications relating to authorizations for the use of radio.

3. Section 0.26 is amended to read as follows:

SEC. 0.26 *Telephone Division.* The Telephone Division is responsible for the Bureau's functions pertaining to telephone matters and telegraph operations of carriers engaged principally in non-record communication, including international telephone rate matters, except as delegated in section 0.28 to the Domestic Radio Facilities Division.

4. Section 0.27 is amended to read as follows:

SEC. 0.27 *International Division.* The International Division is responsible for the Bureau's functions pertaining to international common carrier services, except international telephone rate matters.

5. Section 0.47 is amended to read as follows:

SEC. 0.47 *Monitoring Division.* The Monitoring Division exercises staff responsibility for standards, techniques, and facilities in monitoring and investigative procedures required to effectuate the Communications Act; administers Parts 15 and 18 of the Commission's rules relative to equipment, interference and related problems involving the devices and equipment regulated by these Parts; and maintains liaison with governmental organizations such as CIA, FAA, the military, etc., pertaining to monitoring operations.

6. Paragraph (b) of section 0.48 is amended to read as follows:

SEC. 0.48 *Field Operating Division.*

* * * * *

(b) The Field Group includes the district offices, their sub-offices, marine offices, and monitoring stations. The district offices inspect radio stations, conduct commercial and amateur operator examinations, conduct investigations of interference situations including unlicensed radio operations, conduct engineering studies and make engineering measurements for enforcement purposes and for the information of the Commission, and process applications for interim ship licenses (small craft) and commercial radio operator licenses. The sub-offices are engaged in essentially the same work as the district offices to which they are attached. The marine offices are engaged primarily in ship inspection work. The monitoring stations perform the actual surveillance of the radio spectrum: they detect and locate illegal clandestine radio stations and sources of interference, enforce radio laws and regulations, gather facts through monitoring to resolve interference problems and for studies of proposed rules and developments, and locate lost planes and ships through direction finding.

7. Section 0.49 is amended to read as follows:

SEC. 0.49 *Location of field offices and monitoring stations.* (a) District Offices and their Sub-offices are located at the following address:

Radio district	Address of the engineer in charge	Territory within district	
		States	Counties
1	Customhouse, Boston 10, Mass.	Connecticut	All counties.
		Maine	Do.
		Massachusetts	Do.
		New Hampshire	Do.
		Rhode Island	Do.
		Vermont	Do.
2	Federal Bldg., 641 Washington St., New York 14, N.Y.	New Jersey	Bergen, Essex, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Passaic, Somerset, Sussex, Union, and Warren.
		New York	Albany, Bronx, Columbia, Delaware, Dutchess, Greene, Kings, Nassau, New York, Orange, Putnam, Queens, Rensselaer, Richmond, Rockland, Schenectady, Suffolk, Sullivan, Ulster, and Westchester.
3	New U.S. Customhouse, Philadelphia 6, Pa.	Delaware	New Castle.
		New Jersey	Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Ocean, and Salem.
		Pennsylvania	Adams, Berks, Bucks, Carbon, Chester, Cumberland, Dauphin, Delaware, Lancaster, Lebanon, Lehigh, Monroe, Montgomery, Northampton, Perry, Philadelphia, Schuylkill, and York.
4	McCawley Bldg. 400 East Lombard St., Baltimore 2, Md.	Delaware	Kent and Sussex.
		Maryland	All except District 24.
		Virginia	Clarke, Fairfax, all except District 24, Fauquier, Frederick, Loudon, Page, Prince William, Rappahannock, Shenandoah, and Warren.
		West Virginia	Barbour, Berkeley, Grant, Hampshire, Hardy, Harrison, Jefferson, Lewis, Marion, Mineral, Monongalia, Morgan, Pendleton, Preston, Randolph, Taylor, Tucker, Upshur.
5	Federal Bldg., Norfolk 10, Va.	North Carolina	All except District 6.
		Virginia	All except Districts 4 and 24.
6	Atlanta National Bldg., 50 Whitehall St. SW., Atlanta 3, Ga.	Alabama	All except District 8.
		Georgia	All counties.
	Sub-office: P.O. Box 77. Post Office Bldg., Savannah, Ga.	North Carolina	Ashe, Avery, Buncombe, Burke, Caldwell, Cherokee, Clay, Cleveland, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania, Watauga, Yancey.
		South Carolina	All counties.
		Tennessee	Do.
7	P.O. Box 150, Federal Bldg., Miami 1, Fla.	Florida	All except District 8.
8	Federal Bldg., 600 South St., New Orleans 12, La.	Alabama	Baldwin and Mobile.
		Arkansas	All counties.
		Florida	Escambia.
	Sub-office: U.S. Courthouse and Customhouse, Mobile, Ala.	Louisiana	All counties.
		Mississippi	Do.
		Texas	City of Texarkana only.
9	U.S. Appraisers Bldg., 7300 Wingate St., Houston 11, Tex.	Texas	Angelina, Aransas, Atascosa, Austin, Bandera, Bastrop, Bee, Bexar, Blanco, Brazoria, Brazos, Brooks, Burleson, Caldwell, Calhoun, Cameron, Chambers, Colorado, Comal, De Witt, Dimmit, Duval, Edwards, Fayette, Fort Bend, Frio, Galveston, Gillespie, Goliad, Gonzales, Grimes, Guadalupe, Hardin, Harris, Hays, Hidalgo, Jackson, Jasper, Jefferson, Jim Hogg, Jim Wells, Karnes, Kendall, Kenedy, Kerr, Kinney, Kleberg, La Salle, Lavaca, Lee, Liberty, Live Oak, Madison, Matagorda, Maverick, McMullen, Medina, Montgomery, Nacogdoches, Newton, Nueces, Orange, Polk, Real Refugio, Sabine, San Augustine, San Jacinto, San Patricio, Starr, Travis, Trinity, Tyler, Uvalde, Val Verde, Victoria, Walker, Waller, Washington, Webb, Wharton, Willacy, Williamson, Wilson, Zapata, and Zavala.
	Sub-office: P.O. Box 1527, Post Office Bldg., 300 Willow St., Beaumont, Tex.		
10	States General Life Ins. Bldg., 708 Jackson St., Dallas 22, Tex.	Oklahoma	All counties.
		Texas	All except District 9 and the city of Texarkana.
11	849 South Broadway, Los Angeles 14, Calif.	Arizona	All counties.
		California	Imperial, Inyo, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, and Ventura.
	Sub-office: Fox Theatre Bldg., 1245-7th Ave., San Diego 1, Calif.	Nevada	Clark.
12	Customhouse, 555 Battery St., San Francisco 26, Calif.	California	All except District 11.
		Nevada	All except Clark.
13	New U.S. Courthouse, 620 SW. Main St., Portland 5, Oreg.	Idaho	All except District 14.
		Oregon	All counties.
		Washington	Clark, Cowlitz, Klickitat, Skamania, and Wahkiakum.
14	Federal Office Bldg., First Ave. and Marion, Seattle 4, Wash.	Idaho	Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, Shoshone.
		Montana	All counties.
		Washington	All except District 13.

Radio district	Address of the engineer in charge	Territory within district	
		States	Counties
15	New Customhouse, 19th between California and Stout Sts., Denver 2, Colo.	Colorado	All counties.
		Utah	Do.
		Wyoming	Do.
		Nebraska	Banner, Box Butte, Cheyenne, Dawes, Deuel, Garden, Kimball, Morrill, Scotts Bluff, Sheridan, Sioux.
		New Mexico	All counties.
		South Dakota	Butte, Custer, Fall River, Lawrence, Meade, Pennington, Shannon, Washabaugh.
16	Uptown Post Office and Federal Courts Bldg., 6th and Washington Sts., St. Paul 2, Minn.	Minnesota	All counties.
		Michigan	Alger, Baraga, Chippewa, Delta, Dickenson, Gogebic, Houghton, Iron, Keweenaw, Luce, Mackinac, Marquette, Menominee, Ontonagon, and Schoolcraft.
		South Dakota	All counties except District 15.
		North Dakota	All counties.
		Wisconsin	All counties except District 18.
17	Federal Office Bldg., 911 Walnut St., Kansas City, 6, Mo.	Iowa	All except District 18.
		Kansas	All counties.
		Missouri	Do.
		Nebraska	All except District 15.
18	U.S. Courthouse, 219 South Clark St., Chicago 4, Ill.	Illinois	All counties.
		Indiana	Do.
		Iowa	Allamakee, Buchanan, Cedar, Clayton, Clinton, Delaware, Des Moines, Dubuque, Fayette, Henry, Jackson, Johnson, Jones, Lee, Linn, Louisa, Muscatine, Scott, Washington, and Winneshiek.
		Wisconsin	Brown, Calumet, Columbia, Crawford, Dane, Dodge, Door, Fond du Lac, Grant, Green, Iowa, Jefferson, Kenosha, Kewaunee, Lafayette, Manitowoc, Marinette, Milwaukee, Oconto, Outagamie, Ozaukee, Racine, Richland, Rock, Sauk, Sheboygan, Walworth, Washington, Waukesha, and Winnebago.
		Kentucky	All counties except District 19.
19	New Federal Bldg., Detroit 26, Mich.	Kentucky	Bath, Bell, Boone, Bourbon, Boyd, Bracken, Breathitt, Campbell, Carter, Clark, Clay, Elliott, Estill, Fayette, Fleming, Floyd, Franklin, Gallatin, Garrard, Grant, Greenup, Harlan, Harrison, Jackson, Jessamine, Johnson, Kenton, Knott, Knox, Laurel, Lawrence, Lee, Leslie, Letcher, Lewis, Lincoln, Madison, Magoffin, Martin, Mason, McCreary, Menifee, Montgomery, Morgan, Nicholas, Owen, Owsley, Pendleton, Perry, Pike, Powell, Pulaski, Robertson, Rockcastle, Rowan, Scott, Wayne, Whitley, Wolf, and Woodford.
		Ohio	All counties.
		Michigan	All counties except District 16.
		West Virginia	All counties except District 4.
20	Post Office Bldg., Buffalo 3, N.Y.	New York	All except District 2.
		Pennsylvania	All except District 3.
21	P.O. Box 1021, Federal Bldg., Honolulu 13, Hawaii.	Hawaii and outlying Pacific possessions.	
22	P.O. Box 2987, Federal Bldg., San Juan, P.R.	Puerto Rico	
		Virgin Islands	
23	P.O. Box 644, U.S.P.O. and Courthouse Bldg., Anchorage, Alaska. Suboffice: P.O. Box 1421, Shattuck Bldg., Juneau, Alaska.	Alaska	
24	718 Jackson Place NW., Washington 25, D.C.	District of Columbia and 10 miles beyond the boundary of the District of Columbia in each direction.	

(b) The Marine Offices are located at the following addresses:

Marine Office, 221 North Howard Avenue, Spradlin Building, Tampa 6, Fla.

Marine Office, 356 West Fifth Street, San Pedro, Calif.

(c) The Primary Monitoring Stations are located at the following addresses:

Federal Communications Commission, P.O. Box 89, Allegan, Mich.

Federal Communications Commission, P.O. Box 788, Grand Island, Nebr.

Federal Communications Commission, P.O. Box 632, Kingsville, Tex.

Federal Communications Commission, P.O. Box 31, Laurel, Md.

Federal Communications Commission, P.O. Box 969, Livermore, Calif.

Federal Communications Commission, P.O. Box 36, Millis, Mass.

Federal Communications Commission, P.O. Box 5165, Portland 16, Oreg.

Federal Communications Commission, P.O. Box 98, Powder Springs, Ga.

Federal Communications Commission, P.O. Box 2215, Santa Ana, Calif.

Federal Communications Commission, P.O. Box 385, Kailua, Hawaii.

(d) The Secondary Monitoring Stations are located at the following addresses:

Federal Communications Commission, P.O. Box 810, Fairbanks, Alaska.

Federal Communications Commission, P.O. Box 5098, Fort Lauderdale, Fla.

Federal Communications Commission, P.O. Box 251, Chillicothe, Ohio.

Federal Communications Commission, P.O. Box 6310, Denison, Tex.; (Ambrose).

Federal Communications Commission, P.O. Box 44, Belfast, Maine; Searsport, Maine.

Federal Communications Commission, P.O. Box 191, Spokane 10, Wash.

Federal Communications Commission, C/O Postmaster, Douglas, Ariz.

Federal Communications Commission, P.O. Box 719, Anchorage, Alaska.

8. Sections 0.112–0.114 are deleted and the following sections 0.112–0.117 are substituted therefor:

SEC. 0.112 *Units in the Office.* The Office of General Counsel is divided into the following units:

(a) Immediate Officer of the General Counsel.

(b) Litigation Division.

(c) Legislation Division.

(d) Administrative Law and Treaties Division.

(e) Regulatory Division.

SEC. 0.113 *Immediate Office of the General Counsel.* The Immediate Office of the General Counsel directs and coordinates the functions of the Office.

SEC. 0.114 *Litigation Division.* The Litigation Division advises and represents the Commission in all matters of litigation to which the Commission is a party, advises the Commission as to legal questions involved in proposed actions and policies in the light of past and pending litigation, and conducts research in legal matters as directed by the General Counsel.

SEC. 0.115 *Legislation Division.* The Legislation Division advises and makes recommendations to the Commission with respect to proposed legislation and coordinates the preparation of Commission views thereon for submission to Congress, interprets statutes affecting the Commission, and conducts research in legal matters as directed by the General Counsel.

SEC. 0.116 *Administrative Law and Treaties Division.* The Administrative Law and Treaties Division participates in international conferences and in the implementation of international agreements, interprets international agreements and international regulations affecting the Commission, conducts research in legal matters as directed by the General Counsel, interprets the Communications Act and other statutes relating to the Commission's activities, and prepares legal opinions and memoranda for the Commission.

SEC. 0.117 *Regulatory Division.* The Regulatory Division prepares and makes recommendations and interpretations concerning procedural rules of general applicability; reviews all rules for consistency with other rules, uniformity, and legal sufficiency; advises the Commission with respect to action to be taken in matters concerning the enforcement of its rules and the Communications Act; performs all legal functions with respect to experimental operations under Part 5 of the Commission's rules, the operation of restricted radiation devices under Parts 15 and 18 of the rules, and type approval and type acceptance of radio equipment; conducts research in legal matters as directed by the General Counsel; and in cooperation with the Chief Engineer, participates in general frequency allocation proceedings and other proceedings not within the jurisdiction of any single Bureau, ad-

vises the Commission and coordinates staff work with respect thereto, and renders advice with respect to rule making matters and proceedings affecting more than one Bureau.

9. Sections 0.121 through 0.125 are deleted and the following Sections 0.121 through 0.127 are substituted therefor:

SEC. 0.121 *Functions of the Office.* The Office of the Chief Engineer has the following duties and responsibilities:

(a) To plan and direct broad programs to develop information on the progress of communication techniques and equipment, radio wave propagation, and new uses for communications, and to advise the Commission and Bureaus in such matters.

(b) To represent the Commission on various national and international organizations devoted to the progress of communications and the development of information and standards relative thereto.

(c) To advise and represent the Commission on the allocation of radio frequencies, including international agreements pertaining to frequency allocations and usage.

(d) In cooperation with the General Counsel, to participate in, render advice to the Commission, and coordinate the staff work with respect to general frequency allocation proceedings and other proceedings not within the jurisdiction of any single bureau, and to render advice with respect to rule making matters and proceedings affecting more than one bureau.

(e) To collaborate with the bureaus in the formulation of the technical requirements of the rules and regulations, and to advise the Commission on such matters.

(f) To administer Part 5 of the Commission's rules, including licensing, record keeping, and rule making.

(g) To perform all engineering and management functions of the Commission with respect to formulating rules and regulations, technical standards, and general policies for Parts 15 and 18 of the Commission's rules, and for type approval, type acceptance and certification of radio equipment for compliance with the Commission's rules.

(h) To maintain liaison with other agencies of government and with technical experts representing foreign governments, and to deal with members of the public and of the industries concerned.

(i) To collaborate in the development and execution of plans for the national security and defense, including direction of the CONELRAD Program.

(j) To calibrate and standardize technical equipments and installations used by the Commission.

(k) To perform such other duties as may be assigned or referred by the Commission pursuant to section 5(d) of the Communications Act of 1934, as amended, and Executive Order 10312, as amended.

SEC. 0.122 *Units of the Office.* The Office of Chief Engineer is comprised of the following units:

(a) Immediate Office of the Chief Engineer.

(b) Technical Research Division.

(c) Laboratory Division.

(d) Frequency Allocation and Treaty Division.

(e) Project CONELRAD.

SEC. 0.123 *Immediate Office of the Chief Engineer.* The Chief Engineer advises the Commission and bureaus on technical matters and directs and coordinates the functions of the Office.

SEC. 0.124 *Technical Research Division.* The Technical Research Division analyzes, coordinates, and disseminates to the Commission and the various operating bureaus, technical and scientific data relating to advanced engineering phases of communications; conducts technical studies in radio wave propagation, equipment, and other engineering matters; develops practical applications for the results of the Division's technical research activities including the development of technical rules and specifications relating to all radio services; studies the technical aspects of proposed new uses for radio; analyzes data; issues certificates of type acceptance of radio frequency equipment and issues lists of type approved and type accepted equipment; provides for experimental uses of frequencies and administers Part 5 of the Commission's rules; performs engineering and management functions with respect to formulating rules, technical standards and general policy for Parts 15 and 18 of the Commission's rules; performs rule making for that part of Part 2 of the Commission's rules relative to equipment; and provides Commission representation at national and international conferences.

SEC. 0.125 *Laboratory Division.* The Laboratory Division studies new phenomena, proposed new systems, and new equipment looking toward the greater use of radio, the reduction of interference, and the establishment of appropriate rules and regulations; participates in various intergovernmental, national, and international organizations looking toward the standardization of equipment and measuring units and methods as well as the more efficient use of the radio spectrum or the reduction of interference; designs and assembles apparatus for special tests and studies, and performs special tests and studies concerning propagation, equipment or systems, and evaluates the results of such tests or studies with regard to the Commission's problems, often looking toward new or modified rules; makes type approval tests on equipment including those equipments under Parts 3, 4, 8, 18 and 19 of the Commission's rules requiring type approval, and makes recommendations regarding type approval; provides information and comments on test procedures and test results to assist the Technical Research Division in its evaluation of material supporting certifications and applications for type acceptance; conducts special tests of equipments for the Technical Research Division in connection with the certification and type acceptance program; studies equipment problems of data procurement and enforcement and develops, designs, and constructs equipment for use in connection with the Commission's Field Engineering and Monitoring Bureau activities as well as other Commission activities; standardizes and calibrates equipment and installation for the Field Engineering and Monitoring Bureau; and makes tests of radio devices for other government departments.

SEC. 0.126 *Frequency Allocation and Treaty Division.* The Frequency Allocation and Treaty Division makes continuing studies of new technical developments affecting frequency requirements and of utilization of the frequencies between the several radio services to establish their allocation requirements; proposes adjustments in the Table of Frequency Allocation when necessary; provides Commission representation on, and coordination with, the Interdepartment Radio Advisory Committee and, as may be required, on other national and international telecommunication bodies; coordinates frequency allocation policy matters involving government users of radio with the Office of Civil and Defense Mobilization; maintains the Commission's master frequency record of assignments made; notifies United States frequency assignments to the International Frequency Registration Board of the International Telecommunication Union; performs staff functions relating to international communications conferences and agreements having to do with frequency allocation and assignment; and communicates as necessary with administrations in foreign countries, through appropriate channels, concerning matters which relate to assignment of radio frequencies and to control of radio interference.

SEC. 0.127 *Project CONELRAD.* Project CONELRAD provides technical advice, assistance, research and development concerning CONELRAD to the North American Air Defense Command; provides CONELRAD technical liaison with the communications industry; prepares and puts into effect plans with respect to radio stations, except those owned and operated by any department or agency of the United States Government, to minimize the use of electromagnetic radiations from such stations, in event of attack or imminent threat thereof, as an aid to the navigation of hostile aircraft, guided missiles, and other devices capable of direct attack upon the United States; in accordance with Executive Order 10312, as amended, prepares and puts into effect, in terms of its own responsibility, plans to achieve the technical capability for national and regional programming of the Emergency Broadcasting System and its integral parts and coordinates such plans with the nationwide radio broadcasting networks; and maintains close liaison with personnel in government and non-government radio stations, civil defense authorities, federal, state, and local government officials in connection with the planning and implementation of CONELRAD.

10. Previous section 0.126 is amended and renumbered as section 0.406(g).

11. Paragraph (c) of section 0.163 is amended to read as follows:

SEC. 0.163 *Responsibilities of the Defense Coordinator.*

* * * * *

(c) To serve as agency representative of the Commission for liaison and coordination of defense activities with staff representatives of OCDM, local civil defense authorities, and other federal agencies.

11a. Paragraph (a) of section 0.202 is amended to read as follows:

SEC. 0.202 *Reconsideration with regard to action taken under delegation of authority.* (a) Any person aggrieved by any action taken under any delegation of authority made herein may file a petition for reconsideration within 30 days after public notice is given of the action complained of, and every such petition shall be passed upon by the Commission. Appeals from interlocutory action of the Motions Commissioner or Hearing Examiner must be taken within 5 days in accordance with § 1.47 of the rules and regulations.

12. Paragraph (a) of section 0.222 is amended to read as follows:

SEC. 0.222 *Authority delegated.*

* * * * *

(a) In cases designated for hearing, after issuance of an initial decision or after record has been certified to the Commission for decision, on all motions, petitions or other pleadings, except:

(1) Those requesting final disposition of any case on its merits.

(2) Those having the nature of an appeal to the Commission en banc.

(3) Those changing the issues upon which the hearing was ordered.

(4) Those requesting change or modification of a final order made by the Commission.

13. Section 0.224 is amended to read as follows:

SEC. 0.224 *Authority delegated.* The Chief Hearing Examiner shall act upon the following matters:

(a) Initial specifications of the time and place of hearings to be conducted by hearing examiners where not otherwise specified by the Commission and excepting actions under authority delegated by section 0.255.

(b) Designation of the hearing examiner to preside at the hearing.

(c) After a case has been designated for hearing and until the hearing examiner has issued an initial decision or record has been certified to the Commission for decision, on motions, petitions and other pleadings concerning:

(1) Petitions to intervene.

(2) Petitions filed by applicant requesting that its application or the proceeding thereon be dismissed.

(3) Dismissal of cease and desist, suspension, revocation, and protest proceedings.

(4) Requests for leave to file additional pleadings provided for in § 1.13 of the Commission's rules and pleadings in excess of the length specified in § 1.51 of the Commission's rules.

(5) Petitions of applicants to accept written appearances filed after expiration of the 20 day period provided for in § 1.140(c) of the Commission's rules.

(6) Petitions requesting first change of place of hearing where hearing is scheduled to begin in the District of Columbia.

(d) In the absence of the hearing examiner who has been designated to preside in a proceeding, to discharge the hearing examiner's functions delegated to him under section 0.231.

(e) Where an applicant fails to file, in accordance with § 1.140(c) of the Commission's rules, a written appearance within 20 days of the mailing of a notice of designation for hearing, or a petition to accept, for good cause shown, such a written appearance beyond expiration of said 20 days, dismissal of the application without prejudice for failure to prosecute.

14. Section 0.231 is amended to read as follows:

SEC. 0.231 *Authority delegated.* After a hearing examiner has been designated to preside at a hearing and until he has issued an initial decision or certified the record to the Commission for decision, or the proceeding has been transferred to another hearing examiner, all motions, petitions and other pleadings shall be acted upon by such hearing examiner, except:

(a) Petitions to intervene.

(b) Petitions filed by applicant requesting that its application or the proceeding thereon be dismissed.

(c) Dismissal of cease and desist, suspension, revocation and protest proceedings.

(d) Requests for leave to file additional pleadings provided for in § 1.13 of the Commission's rules and pleadings in excess of the length specified in § 1.51 of the Commission's rules.

(e) Those requesting final disposition of any case on its merits.

(f) Those having the nature of an appeal to the Commission en banc.

(g) Those changing the issues upon which the hearing was ordered.

(h) Petitions requesting first change of place of hearing where hearing is scheduled to begin in the District of Columbia.

15. That portion of section 0.241 preceding paragraph (a), subparagraph (6) of paragraph (d), subparagraph (7) of paragraph (e), and paragraph (j) are amended to read as follows:

SEC. 0.241 *Matters delegated.* The Chief of the Broadcast Bureau is delegated authority to act upon applications, requests, and other matters which are not in hearing status relating to broadcast services as follows:

* * * * *

(d) * * *

(6) In case of involuntary assignment or transfer of control under § 1.330 of the Commission's rules and regulations.

* * * * *

(e) * * *

(7) For inspection of records under section 0.406 and withdrawal of papers in accordance with § 1.14 of the Commission's rules and regulations.

* * * * *

(j) To dismiss applications without prejudice (1) where an applicant has failed to answer official correspondence or a request from the Commission for additional material as provided in § 1.312 of the Commission's rules, and (2) where an application is filed less than 60 days before the date set for hearing on a mutually exclusive application or applications as provided in § 1.140 of the Commission's rules.

16. Section 0.242 is amended to read as follows:

SEC. 0.242 *Authority to issue orders; record of actions taken.* In matters pertaining to the authority delegated in section 0.241 the Chief of the Broadcast Bureau is authorized to make orders in letter form for the signature of the Secretary of the Commission. The application and authorization files and other appropriate files of the License Division of the Broadcast Bureau are designated as the official minutes of action taken by the Chief of the Broadcast Bureau pursuant to the authority delegated in section 0.241. The authorizations issued by the Broadcast Bureau in accordance with its assigned functions and the delegations of authority shall bear the seal of the Commission and the signature of its Secretary.

17. That portion of section 0.251 preceding paragraph (a), and paragraph (b), are amended to read as follows:

SEC. 0.251 *Matters delegated.* The Chief of the Common Carrier Bureau is delegated authority to act upon the following applications, requests, and other matters, which are not in hearing status, involving the use of radio, insofar as they apply to common carrier services (except marine and aeronautical), where the estimated construction cost is less than $2,000,000:

* * * * *

(b) For the domestic public radio services, and for the fixed public services, in the possessions of the United States and in the State of Hawaii.

18. Section 0.252 is amended to read as follows:

SEC. 0.252 *Authority concerning position of officer.* The Chief of the Common Carrier Bureau is delegated authority to act upon applications under section 212 of the Communications Act for authority to hold the position of officer or director of more than one carrier subject to the Act, and to act upon applications for a finding that a carrier owns more than fifty percent of the stock of another or other carriers, or that a person owns fifty percent or more of the stock of two or more carriers.

19. That portion of section 0.253 preceding paragraph (a) is amended to read as follows:

SEC. 0.253 *Authority concerning section 214 of the Act.* The Chief of the Common Carrier Bureau is delegated authority to act upon the following applica-

tions or requests under section 214 of the Communications Act:

20. Section 0.254 is amended to read as follows:

SEC. 0.254 *Authority concerning section 220 of the Act.* The Chief of the Common Carrier Bureau is delegated authority to interpret the regulations and to act upon the administration of such regulations promulgated by the Commission pursuant to section 220 of the Communications Act, relating to accounts, records and memoranda to be kept by carriers subject to the jurisdiction of the Commission.

21. That portion of section 0.255 preceding paragraph (a) is amended to read as follows:

SEC. 0.255 *Authority concerning section 221(a) of the Act.* The Chief of the Common Carrier Bureau is delegated authority:

22. Section 0.257 is amended to read as follows:

SEC. 0.257 *Authority concerning records and papers.* The Chief of the Common Carrier Bureau is delegated authority to act upon the following matters insofar as they apply to records or papers involving common carriers:

(a) Requests for inspection of records under the provisions of section 0.406.

(b) Requests for withdrawal of papers in accordance with § 1.14 of the Commission's rules.

23. That portion of section 0.258 preceding paragraph (a) is amended to read as follows:

SEC. 0.258 *Authority concerning extension of time and waivers.* The Chief of the Common Carrier Bureau is delegated authority to act upon the following requests:

24. Section 0.259 is amended to read as follows:

SEC. 0.259 *Authority delegated jointly to Chiefs of Common Carrier and Safety and Special Radio Services Bureaus.* Authority is delegated jointly to the Chief of the Common Carrier Bureau and the Chief of the Safety and Special Radio Services Bureau to act upon applications in the maritime and aeronautical mobile services involving common carrier matters, in the public coastal service in Alaska, and in the fixed public services in Alaska. (For record of actions taken under this section, see section 0.293.)

25. Section 0.260 is amended to read as follows:

SEC. 0.260 *Orders in letter form.* Where appropriate, in acting upon matters referred to in the delegations of authority, the Chief of the Common Carrier Bureau is authorized to make orders in letter form for the signature of the Secretary of the Commission.

26. Section 0.271 is amended as follows:

a. That portion of paragraph (a) preceding subparagraph (1) is amended to read as follows:

SEC. 0.271 *Matters delegated to the Bureau Chief and Chief, Field Operating Division.* (a) The Chief of the Field Engineering and Monitoring Bureau is delegated authority to act upon the following matters which are not in hearing status:

b. In subparagraph (1) of paragraph (a), "§1.377" is deleted and "§1.67" is inserted in lieu thereof.

c. In subparagraph (5) of paragraph (a), "§ 1.404" is deleted and "§ 1.72" is inserted in lieu thereof.

27. Section 0.281 is amended as follows:

a. That portion of the text preceding paragraph (a) is amended to read as follows:

SEC. 0.281 *Matters delegated to the Engineers in Charge.* The Engineers in Charge at each headquarters office of the 24 districts of the Field Engineering and Monitoring Bureau are delegated authority to act upon the following applications, requests or other matters which are not in hearing status:

b. Paragraph (e) is deleted and the following new paragraph is inserted in lieu thereof:

(e) For periodical survey as required by section 385 of the Communications Act of 1934, as amended, and issuance of Communications Act radiotelephony certificates in accordance with § 8.501(b) of the Commission's rules.

c. Paragraph (f) is amended to read as follows:

(f) Applications, in any acceptable form, filed at Commission field offices located in Alaska, for special temporary operator license authorization, in lieu of regular commercial radio operator license, when it is shown that there is a need for such authorization for use in connection with the protection of life or property during an emergency period.

28. Section 0.284 is amended to read as follows:

SEC. 0.284 *Authority delegated to Radio Engineers at sub-offices, Marine Supervisors at marine offices, and to engineers engaged in ship inspection duties at radio district offices.* (a) The Radio Engineer at each sub-office of a district headquarters office of the Field Engineering and Monitoring Bureau is delegated authority to act upon all matters contained in section 0.281, except paragraph (b).

(b) The Marine Supervisor at each marine office of the Field Engineering and Monitoring Bureau is delegated authority to act upon matters set forth in section 0.281 (e), (g), (j) and (k).

(c) Engineers engaged in ship inspection duties at radio district offices of the Field Engineering and Monitoring Bureau are delegated authority to act upon matters set forth in section 0.281 (e), (j), and (l).

29. That portion of section 0.291 preceding paragraph (a), and subparagraph (10) of paragraph (b), are amended to read as follows:

SEC. 0.291 *Matters delegated.* The Chief of the Safety and Special Radio Services Bureau is delegated authority to act upon the following applications, requests, and other matters which are not in hearing status:

* * * * *

(b) * * *

(10) To cancel novice, technician, or conditional class amateur licenses as provided in § 12.45 of the Commission's rules.

(30) Section 0.292 is amended as follows:

a. That portion of the text preceding paragraph (a) is amended to read as follows:

SEC. 0.292 *Other matters delegated.* The Chief of the Safety and Special Radio Services Bureau is delegated authority to act upon the following applications, requests and other matters:

b. Subparagraph (5) of paragraph (b) is amended to change the unit designations appearing therein from (a) and (b) to (i) and (ii).

31. Section 0.321 is deleted.

32. The title of section 0.322, and paragraph (b), are amended to read as follows:

SEC. 0.322 *Matters delegated to the General Counsel.*

* * * * *

(b) The General Counsel is delegated authority to act in matters which are not in hearing status, insofar as authority to act upon them is not delegated to any other bureau or office on (1) requests for inspection of records under the provision of section 0.406 and (2) requests for extension of time within which briefs and comments may be filed.

33. Section 0.323 is amended to read as follows:

SEC. 0.323 *Record of actions taken.* Action taken in accordance with section 0.322 shall be recorded each week and filed in the official minutes of the Commission.

34. That portion of section 0.331 preceding paragraph (a) is amended to read as follows:

SEC. 0.331 *Authority delegated.* The Chief Engineer is delegated authority to act upon the following matters which are not in hearing status:

35. That portion of section 0.332 preceding paragraph (a) is amended to read as follows:

SEC. 0.332 *Authority delegated to the Chief Engineer upon securing concurrence of the General Counsel.* The Chief Engineer, upon securing concurrence of the General Counsel, is delegated authority with respect to stations operating in the experimental radio services, other than experimental and developmental stations operating in established services under the jurisdiction of a single Bureau, to act upon the following matters:

36. Section 0.341 is amended to read as follows:

SEC. 0.341 *Matters delegated to Secretary.* (a) The Secretary is delegated authority to make non-substantive, editorial revisions of the Commission's rules and regulations and Statement of Or-

ganization, Delegations of Authority, and Other Information, upon approval of the Bureau or head of the staff office primarily responsible for the particular part or section involved.

(b) The Secretary is delegated authority, upon securing the approval of the Field Engineering and Monitoring Bureau, to delete or modify, from time to time, as need may appear, the location of radio operator examination points as set forth in section 0.413 and in the appendix to Part 12 of the Commission's rules.

(c) Actions taken in accordance with this section shall be recorded each week in writing and filed in the official minutes of the Commission.

37. Section 0.402 is amended to read as follows:

SEC. 0.402 *Other offices in or near Washington, D.C.* Other offices of the Commission in Washington, D.C. are maintained at 718 Jackson Place NW., Washington 25, D.C. The Laboratory Division is located north of Laurel, Maryland, and its Post Office address is Box 31, Laurel, Maryland.

38. Section 0.403 is amended to read as follows:

SEC. 0.403 *Field offices.* The location of the field offices of the Field Engineering and Monitoring Bureau are shown in section 0.49; those of the Common Carrier Bureau in section 0.24(b).

39. Section 0.404 is amended to read as follows:

SEC. 0.404 *Public reference rooms.* Public reference rooms are maintained by the Commission where the public may inspect any material which is available for public inspection in accordance with section 0.406. Unless otherwise indicated, these rooms are located in the New Post Office Building, 13th Street and Pennsylvania Avenue NW., Washington 25, D.C. They are as follows:

(a) The Broadcast and Docket Reference Room. Here the public may inspect all broadcast applications and files relating thereto, as well as dockets relating to all Commission matters which have been designated for hearing.

(b) The public may inspect all safety and special applications and files relating thereto at the offices of the Divisions of the Safety and Special Radio Services Bureau which process such applications. The categories of radio stations in the Safety and Special Radio Services, and the Divisions concerned therewith, are listed in § 1.541 of the Commission's rules. In addition, a complete file concerning amateur radio operators is available for inspection in the Amateur License Reference Room.

(c) Information concerning applications filed by commercial radio operators may be obtained at 718 Jackson Place NW., Washington 25, D.C.

(d) The Common Carrier Reference Rooms. Here the public may inspect the following:

(1) All annual and other reports filed by common carriers pursuant to section 219(a) of the Communications Act.

(2) The schedules for all charges for interstate and foreign wire or radio communications filed pursuant to section 203 of the Communications Act.

(3) All contracts, agreements, or arrangements between carriers filed pursuant to section 211(a) of the Communications Act.

(4) All applications for common carrier authorizations, both radio and nonradio, and files relating thereto.

(e) The Experimental Branch of the Technical Research Division of the Office of the Chief Engineer. Here the public may inspect experimental license files.

40. Section 0.405 is amended to read as follows:

SEC. 0.405 *General information office.* The Office of Reports and Information is located in the New Post Office Building. Here the public may obtain copies of public notices of Commission actions, formal documents adopted by the Commission and other public releases, as they are issued. Back issues of public releases are available for inspection in this Office. Copies of fact sheets which answer recurring questions about the Commission's functions may be obtained from this Office.

41. Section 0.406 is amended to add a new paragraph (g), derived from the deleted section 0.126, to read as follows:

SEC. 0.406 *Inspection of records.*

* * * * *

(g) The list of frequency assignments to radio stations authorized by the Commission is recapitulated periodically by means of a machine record system. All stations licensed by the Commission are included except the following: Aircraft, Amateur, Citizens, Civil Air Patrol, Disaster, and Ship Stations. The resulting document, the F.C.C. Frequency List, which consists of several volumes arranged in frequency order, includes station locations, call signs and other technical particulars of each assignment. This document is available for public examination at each of the Commission's Field Engineering and Monitoring Bureau Field Offices and in Washington, D.C., at the Commission's Broadcast and Docket Reference Room. Licensees are requested to report promptly any omissions or inaccuracies which may be discovered.

42. Item (c) of the table in section 0.409 is amended by changing "Citizens" to "Interim ship station licenses".

43. Section 0.411 is amended to read as follows:

SEC. 0.411 *Applications for exemption from compulsory ship radio requirements.* Applications for exemption filed under the provisions of section 352(b) or 383 of the Communications Act; Regulation 4, Chapter I of the Safety Convention; Regulation 5 or 6, Chapter IV of the Safety Convention; Regulation 12(b), Chapter V of the Safety Convention; or Article 6 of the Great Lakes Agreement, shall be filed at the Commission's office in Washington, D.C.

44. That portion of section 0.413(c) preceding subparagraph (1), and the listing of annual examination points in subparagraph (1) are amended to read as follows:

SEC. 0.413 *Applications for amateur station and operator license and/or commercial operator license.*

* * * * *

(c) Schedules of radio operator examinations are available at the Commission's district offices listed in section 0.49. Examinations are given frequently under these schedules at the Commission's Washington examination office at 718 Jackson Place NW., Washington 25, D.C., and at each of the Commission's field offices listed in section 0.49. Examinations are also given frequently, by appointment, at the Commission's offices at the following points: Savannah, Georgia; San Diego, California; Tampa, Florida; Mobile, Alabama; Juneau, Alaska; and Anchorage, Alaska.

(1) * * *

ANNUAL

Amarillo, Tex.	Hilo, Hawaii, Hawaii
Bakersfield, Calif.	Jamestown, N. Dak.
Bangor, Maine	Klamath Falls, Oreg.
Billings, Mont.	Lihue, Kauai, Hawaii
Butte, Mont.	Marquette, Mich.
El Paso, Tex.	Rapid City, S. Dak.
Fairbanks, Alaska	Wailuku, Maui, Hawaii

45. Section 0.414 is deleted and the following new section is inserted in lieu thereof:

SEC. 0.414 *Applications for interim ship station licenses.* Formal applications for ship station licenses for use of radiotelephone transmitting apparatus, and applications for modification of ship station licenses (including modification to cover replacement of radiotelephone transmitting apparatus) shall when accompanied by a request for an interim ship station license be filed in accordance with § 8.36 of the Commission's rules and presented in person by the applicant or his agent at the nearest field office of the Commission as shown in section 0.49 (a) and (b). Applications for renewal of ship station licenses are not subject to the provisions of this section.

46. Add new section 0.417 as follows:

SEC. 0.417 *Printed publications.* The Commission's printed publications may be obtained from the Superintendent of Documents, Government Printing Office, Washington 25, D.C. These include, among other things, this "Statement of Organization, Delegation of Authority, and Other Information," the Commission's rules and regulations, its annual reports to the Congress, and the F.C.C. Reports.

[F.R. Doc. 60-1900; Filed, Mar. 4, 1960; 8:45 a.m.]

[Docket Nos. 9369, 11298; FCC 60M-398]

AMERICAN CABLE AND RADIO CORP. ET AL.

Order Continuing Hearing Conference

In the matter of American Cable and Radio Corporation and its subsidiaries, All America Cables and Radio, Inc., The Commercial Cable Company and Mackay Radio and Telegraph Company v. The Western Union Telegraph Company, Docket No. 9369; and RCA Communica-

tions, Inc. v. The Western Union Telegraph Company, Docket No. 11298; lawfulness of certain practices of Western Union under the International Formula.

Upon oral request of counsel for Western Union, one of the parties in the above-entitled matter, and with the consent of all other parties to the proceeding: *It is hereby ordered,* This 29th day of February 1960, that the further prehearing conference presently scheduled for March 1, 1960, be, and the same is, hereby continued to March 15, 1960, in the offices of the Commission, Washington, D.C.

Released: March 1, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 60-2069; Filed, Mar. 4, 1960; 8:51 a.m.]

[Docket No. 10854 etc.; FCC 60M-389]

BISCAYNE TELEVISION CORP. ET AL.

Order Scheduling Prehearing Conference

In re applications of Biscayne Television Corporation, Miami, Florida, Docket No. 10854, File No. BPCT-1453; East Coast Television Corporation, Miami, Florida, Docket No. 10856, File No. BPCT-1612; South Florida Television Corporation, Miami, Florida, Docket No. 10857, File No. BPCT-1806; Sunbeam Television Corporation, Miami, Florida, Docket No. 10858, File No. BPCT-1816; for construction permits for new television broadcast stations (Channel 7).

It is ordered, This 26th day of February 1960, that a further prehearing conference in the above-entitled proceeding will be held on Wednesday, March 16, 1960, at 11:00 a.m. in the Packard Building, Philadelphia, Pennsylvania.

Released: March 1, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 60-2070; Filed, Mar. 4, 1960; 8:51 a.m.]

[Docket No. 13315 etc.; FCC 60M-387]

EASTERN STATES BROADCASTING CORP. ET AL.

Order Continuing Hearing

In re applications of Eastern States Broadcasting Corporation, Bridgeton, New Jersey (WSNJ-FM), Docket No. 13315, File No. BPH-2739; Bulletin Company, Philadelphia, Pennsylvania, Docket No. 13316, File No. BPH-2740; Pillar of Fire, Inc. (WAWZ-FM), Zarephath, New Jersey, Docket No. 13317, File No. BPH-2789; for construction permits.

As the result of the agreements reached at the prehearing conference held February 26, 1960, the evidentiary hearing in the above-entitled proceeding is continued from Wednesday, March 9, 1960, to Monday, May 9, 1960.

It is so ordered, This the 26th day of February 1960.

Released: February 29, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 60-2071; Filed, Mar. 4, 1960; 8:51 a.m.]

[Docket No. 12787 etc.; FCC 60M-399]

WALTER L. FOLLMER ET AL.

Order Continuing Hearing Conference

In re applications of Walter L. Follmer, Hamilton, Ohio, Docket No. 12787, File No. BP-11323; Interstate Broadcasting Company, Inc. (WQXR), New York, New York, Docket No. 12790, File No. BP-11707; Booth Broadcasting Company (WTOD), Toledo, Ohio, Docket No. 12793, File No. BP-12035; for construction permits.

The Hearing Examiner having under consideration a letter from counsel for E. Weaks McKinney-Smith dated February 29, 1960, requesting a short continuance because of interfering commitments;

It appearing that a hearing conference was scheduled for March 2, 1960, at 2:00 p.m. and that because of conflicts the earliest date upon which the conference can be expected to proceed without serious inconvenience to one or more of the parties or the Hearing Examiner would be March 10, 1960;

Therefore, It is ordered, This 1st day of March 1960, that the hearing conference scheduled for March 2 is continued to March 10, 1960, at 10:00 a.m.

Released: March 1, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 60-2072; Filed, Mar. 4, 1960; 8:51 a.m.]

[Docket No. 13266 etc.; FCC 60M-403]

MONTANA-IDAHO MICROWAVE, INC., ET AL.

Order Continuing Hearing

In re applications of Montana-Idaho Microwave, Inc., Bozeman, Montana, Docket No. 13266, File No. 413-C1-P-60, Call Sign KPJ33, for construction permit for new fixed radio station near Pocatello, Idaho; Docket No. 13267, File No. 414-C1-P-60, Call Sign KPJ34, for construction permit for new fixed radio station near Monida Pass, Idaho; Docket No. 13268, File No. 415-C1-P-60, Call Sign KPJ35, for construction permit for new fixed radio station near Armstead, Montana; Docket No. 13269, File No. 416-C1-P-60, Call Sign KPJ36, for construction permit for new fixed radio station near Whitehall, Montana; Docket No. 13270, File No. 417-C1-P-60, Call Sign KPJ37, for construction permit for new fixed radio station near Bozeman Pass, Montana.

The Hearing Examiner having under consideration the above-entitled proceeding;

It appearing that there are presently pending before the Commission interlocutory pleadings, action upon which may substantially affect the matters at issue and the course of the proceeding;

It is ordered, This 1st day of March 1960 on the Hearing Examiner's own motion the prehearing conference herein presently scheduled for March 29, 1960 is continued to a date to be subsequently specified.

Released: March 2, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 60-2073; Filed, Mar. 4, 1960; 8:51 a.m.]

PART 0—STATEMENT OF ORGANIZATION, DELEGATIONS OF AUTHORITY, AND OTHER INFORMATION

Corrections

The Commission's Order of February 26, 1960, mimeo No. 84459, is corrected as follows:

1. Item 7 in the Appendix is corrected as follows:

(a) The address of the Engineer in Charge of Radio District 10 in the table in section 0.49(a) is corrected by changing the postal zone from "22" to "2".

(b) The address of the Primary Monitoring Station at Livermore, California, in section 0.49(c) is corrected by changing the post office box number from "969" to "989".

(c) The address of the Primary Monitoring Station at Portland, Oregon, in section 0.49(c) is corrected by changing the post office zone from "16" to "30".

(d) The address of the Primary Monitoring Station in Hawaii in section 0.49 (c) is corrected to read as follows: "Federal Communications Commission, P.O. Box 1035, Waipahu, Hawaii".

(e) The address of the Secondary Monitoring Station at Douglas, Arizona, in section 0.49(d) is corrected to read as follows: "Federal Communications Commission, P.O. Box 1101, Douglas, Arizona".

2. Item 27b in the Appendix is corrected by changing the word "periodical" to "periodic".

3. Item 44 in the Appendix is corrected to read as follows:

44. That portion of section 0.413(c) preceding subparagraph (1), and the listing of annual examination points in subparagraph (1) are amended to read as follows:

SEC. 0.413 *Applications for amateur station and operator license and/or commercial operator license.*

* * * * *

(c) Schedules of radio operator examinations are available at the Commission's district offices listed in section 0.49. Examinations are given frequently

under these schedules at the Commission's Washington examination office at 718 Jackson Place NW., Washington 25, D.C., and at each of the Commission's field offices listed in section 0.49. Examinations are also given frequently, by appointment, at the Commission's offices at the following points: Savannah, Georgia; San Diego, California; Tampa, Florida; Mobile, Alabama; Juneau, Alaska; Anchorage, Alaska; and Beaumont, Texas.

(1) * * *

ANNUAL

Amarillo, Tex.	Hilo, Hawaii.
Bakersfield, Calif.	Jamestown, N. Dak.
Bangor, Maine.	Klamath Falls, Oreg.
Billings, Mont.	Lihue, Hawaii.
Butte, Mont.	Marquette, Mich.
El Paso, Tex.	Rapid City, S. Dak.
Fairbanks, Alaska.	Wailuku, Hawaii.

Released: March 2, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 60-2075; Filed, Mar. 4, 1960; 8:51 a.m.]

[Docket No. 13418]

ALVIN W. STEVENSON

Order To Show Cause

In the matter of Alvin W. Stevenson, 6532 Catalpa Drive, Cincinnati 39, Ohio, Docket No. 13418; Order to Show Cause Why There Should Not Be Revoked the License for Citizens Radio Station 19W2347.

There being under consideration the matter of certain alleged violations of the Commission's rules in connection with the operation of the above-captioned station;

It appearing that, pursuant to § 1.61 of the Commission's rules, written notice of violation of the Commission's rules was served upon the above-named licensee as follows: Official Notice of Violation was mailed to the licensee on September 28, 1959, alleging that on September 13, 1959, at approximately 6:08 p.m., e.s.t., and again at approximately 6:09 p.m., e.s.t., the subject radio station was observed operating with excessive frequency deviation from the frequency 27065 kc in violation of § 13.33 of the Commission's rules; and further alleging that on said September 13, 1959, at the times hereinbefore specified, the subject radio station was observed engaging in Amateur type communications in violation of §§ 19.1 and 19.61 of the Commission's rules;

It further appearing that, the above-named licensee received said Official notice but did not make satisfactory reply thereto, whereupon the Commission, by letter dated November 3, 1959, and sent by Certified Mail, Return Receipt Requested (No. 936634), brought this matter to the attention of the licensee and requested that such licensee respond to the Commission's letter within fifteen days from the date of its receipt stating the measures which had been taken, or were being taken, in order to bring the operation of the radio station into compliance with the Commission's rules, and warning the licensee that his failure to respond to such letter might result in the institution of proceedings for the revocation of the radio station license; and

It further appearing that receipt of the Commission's letter was acknowledged by the signature of the licensee's agent, Vincent H. Hezog, on November 7, 1959, to a Post Office Department return receipt; and

It further appearing that, although more than fifteen days have elapsed since the licensee's receipt of the Commission's letter, no response was made thereto; and

It further appearing that, in view of the foregoing, the licensee has repeatedly violated § 1.61 of the Commission's rules;

It is ordered, This 29th day of February 1960, pursuant to section 312(a)(4) and (c) of the Communications Act of 1934, as amended, and section 0.291(b)(8) of the Commission's Statement of Delegations of Authority, that the said licensee show cause why the license for the above-captioned Radio Station should not be revoked and appear and give evidence in respect thereto at a hearing [1] to be held at a time and place to be specified by subsequent order; and

It is further ordered, That the Secretary send a copy of this Order by Certified Mail—Return Receipt Requested to the said licensee.

Released: March 1, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 60-2076; Filed, Mar. 4, 1960; 8:51 a.m.]

[1] Section 1.62 of the Commission's rules provides that a licensee, in order to avail himself of the opportunity to be heard, shall, in person or by his attorney, file with the Commission, within thirty days of the receipt of the order to show cause, a written statement stating that he will appear at the hearing and present evidence on the matter specified in the order. In the event it would not be possible for respondent to appear for hearing in the proceeding if scheduled to be held in Washington, D.C., he should advise the Commission of the reasons for such inability within five days of the receipt of this order. If the licensee fails to file an appearance within the time specified, the right to a hearing shall be deemed to have been waived. Where a hearing is waived, a written statement in mitigation or justification may be submitted within thirty days of the receipt of the order to show cause. If such statement contains, with particularity, factual allegations denying or justifying the facts upon which the show cause order is based, the Hearing Examiner may call upon the submitting party to furnish additional information, and shall request all opposing parties to file an answer to the written statement and/or additional information. The record will then be closed and an initial decision issued on the basis of such procedure. Where a hearing is waived and no written statement has been filed within the thirty days of the receipt of the order to show cause, the allegations of fact contained in the order to show cause will be deemed as correct and the sanctions specified in the order to show cause will be invoked.

[Docket Nos. 13213, 13214; FCC 60M-391]

MOUNT WILSON FM BROADCASTERS, INC., AND FREDDOT, LTD. (KITT)

Order Continuing Hearing

In re applications of Mount Wilson FM Broadcasters, Inc. (KBCA), Los Angeles, California, Docket No. 13213, File No. BPH-2705; Freddot, Ltd. (KITT), San Diego, California, Docket No. 13214, File No. BMPH-5593; for construction permits (FM facilities).

The Hearing Examiner having under consideration a petition filed February 25, 1960, on behalf of Mount Wilson FM Broadcasters, Inc. (KBCA) requesting that the dates for the preliminary and final exchange of exhibits and for the commencement of the hearing be extended; and

It appearing that the reason for the requested extension is that the petitioner intends to file a petition for leave to amend its application so as to reduce power from 51.414 kw to 18 kw, which amendment will reduce the interference problems in this proceeding; and

It further appearing that there are no objections to granting the petition, that the element of time requires the immediate consideration thereof and good cause for granting the motion having been shown;

It is ordered This the 29th day of February 1960, that the petition of Mount Wilson FM Broadcasters, Inc. (KBCA) for extension is granted and the date for the preliminary exchange of exhibits is extended from March 2, 1960, to March 16, 1960, the date for the final exchange of exhibits is extended from March 16, 1960 to March 30, 1960, and the date for the commencement of the evidentiary hearing is extended from March 28, 1960, to April 11, 1960.

Released: March 1, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 60-2074; Filed, Mar. 4, 1960; 8:51 a.m.]

[Docket No. 12939; FCC 60M-390]

WPGC, INC.

Order Continuing Hearing

In re application of WPGC, Inc. (WPGC), Morningside, Maryland, Docket No. 12939, File No. BML-1790; for modification of license.

The Hearing Examiner having under consideration the "Motion For Continuance of Hearing" filed herein on February 26, 1960, by the applicant, in which it is requested that the hearing scheduled for this date be continued until March 21, 1960;

It appearing that the Hearing Examiner presently has scheduled a hearing commencing March 21, 1960, which it is anticipated will extend over a period of approximately three weeks;

It further appearing that good cause exists why the hearing in this proceeding should be continued to a future date and there is no opposition thereto;

Accordingly it is ordered, This 29th day of February 1960, that the "Motion For Continuance of Hearing" be, and the same is hereby, denied; *And, it is further ordered,* That the hearing herein scheduled for this date be, and the same is hereby, continued to April 15, 1960, at 10:00 o'clock a.m. in the Commission's offices, Washington, D.C.

Released: March 1, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 60-2077; Filed, Mar. 4, 1960; 8:51 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-18163]

ATLANTIC SEABOARD CORP.

Notice of Application and Date of Hearing

FEBRUARY 29, 1960.

Take notice that Atlantic Seaboard Corporation (Applicant), a Delaware corporation with a principal office in Charleston, West Virginia, filed in Docket No. G-18163 on March 26, 1959, an application, as supplemented on April 27, 1959, and amended June 12, 1959, for a certificate of public convenience and necessity to construct and operate additional facilities in West Virginia, Virginia and Maryland to increase the capacity of its main 26-inch Cobb-Baltimore pipeline. The proposed facilities are designed to enable Atlantic to meet the increased requirements of its existing customers during the 1959-60 winter season, particularly those serving Baltimore and Washington. The proposals are more fully described in the application, supplement and amendment on file with the Commission and open to public inspection.

Applicant proposes to construct and operate the following facilities:

(1) Approximately 13.3 miles of 26-inch transmission loop segments, completing the looping of Atlantic's existing 26-inch system between its Cleveland and Seneca Compressor Stations, in the States of West Virginia and Virginia; and 6.5 miles of 26-inch loop line on the 26-inch system near Strasburg, Virginia.

(2) Approximately 1.0 mile of 10-inch transmission pipeline extending from Atlantic's existing 20-inch line near Dranesville, Fairfax County, Virginia, to a connection with the existing facilities of Transcontinental Gas Pipe Line Corporation.

(3) A new 8,000 horsepower compressor station, to be known as the Frametown Compressor Station and to be located on Applicant's 26-inch transmission system in Braxton County, West Virginia.

Applicant states it receives the major part of its gas supply from United Fuel Gas Company at its Boldman, Kentucky Compressor Station and the Cobb Compressor Station near Clendenin, West Virginia. It also purchases locally produced gas in the Appalachian area from United Fuel and several other producers, receives 15,000 Mcf per day of firm gas from Transcontinental Gas Pipe Line Corporation at Rockville, Maryland, and expects to receive at Dranesville, Virginia, an additional 25,000 Mcf per day of firm gas as authorized in Transco's Docket No. G-16603.

The application recites that Applicant's 20-inch line extending from Boldman towards Baltimore is supplied entirely with local production in Kentucky and West Virginia. Its 26-inch system extending from Cobb to the Pennsylvania state line meets the 20-inch line in the Washington-Baltimore area. The 26-inch system is supplied mainly by United Fuel at Cobb with Southwest gas. It also receives some local production from the Blackwater Anticline in Randolph County, West Virginia. Further, that because of decreasing availability of the local supplies to the 20-inch Boldman-Baltimore line and decreasing volumes of local production to the 26-inch Cobb-Baltimore line from Randolph County, plus the increasing requirements of its customers, Atlantic is proposing here a substantial increase in its capacity, which will enable it to receive more Southwest gas from United Fuel at Cobb to replace the declining local supplies and also to meet its customers' increased needs.

Atlantic's peak day requirements are estimated as follows:

	Mcf 1959-60 estimated
Wholesale—nonaffiliate	734,500
Inter-group	154,200
Company use and unaccounted for	14,900
Total	903,600

Applicant further states that its existing system, reflecting receipt of only the presently authorized 15,000 Mcf per day from Transco at Rockville could deliver 784,000 Mcf; and the 784,000 Mcf per day is about 120,000 Mcf short of the 903,600 Mcf of maximum contract obligations on the 1959-60 peak day. The proposed facilities are designed to enable Applicant to deliver the 903,600 Mcf per day with a total of 40,000 Mcf per day from Transco.

Applicant estimates the total capital cost of its proposed project at $5,572,700, which it proposes to finance through the issuance and sale to its parent company, The Columbia Gas System, Inc., of installment promissory notes and common stock. Applicant states that the Securities and Exchange Commission has authorized it to issue $700,000 in notes and $300,000 in common stock during 1959, and that it further contemplates issuing and selling an additional $7,900,000 in notes and $5,400,000 in stock to Columbia during 1959. Columbia has advised Applicant that it will provide the necessary financing. This financing will similarly require the approval of the Securities and Exchange Commission.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held April 20, 1960, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before April 8, 1960. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 60-2040; Filed, Mar. 4, 1960; 8:47 a.m.]

[Docket No. G-20481]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Application and Date of Hearing

FEBRUARY 29, 1960.

Take notice that on December 18, 1959, as amended on December 30, 1959, Transcontinental Gas Pipe Line Corporation (Applicant) filed in Docket No. G-20481 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of lateral and field facilities to enable Applicant to take into its certificated main pipeline system natural gas which will be purchased from producers thereof in the general area of Applicant's existing transmission system from time to time during the 12-month period following the date of certification at a total cost not to exceed $3,000,000, with no single project to exceed a cost of $500,000, all as more fully set forth in the application and amendment which are on file with the Commission and open to public inspection.

The purpose of this "budget-type" application is to augment Applicant's ability to act with reasonable dispatch in contracting for and connecting to its pipeline system new supplies of natural gas in various producing areas generally coextensive with said system.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the

Commission's rules of practice and procedure, a hearing will be held on March 28, 1960, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before March 18, 1960. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 60-2041; Filed, Mar. 4, 1960; 8:47 a.m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

JOCO EREMIC

Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Joco Eremic, Windsor, Ontario, Canada; $898.26 in the Treasury of the United States.
Vesting Order No. 18599; Claim No. 63369.

Executed at Washington, D.C., on February 29, 1960.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F.R. Doc. 60-2062; Filed, Mar. 4, 1960; 8:50 a.m.]

WILHELM KOENIGSBERGER ET AL.

Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Wilhelm Koenigsberger, Montevideo, Uruguay; $660.30 in the Treasury of the United States.
Frederick Koenigsberger, Montevideo, Uruguay; $660.31 in the Treasury of the United States.
Arthur S. Leppel, Glencoe, Illinois; $660.30 in the Treasury of the United States.
Dorothy Wurtzburg, Chicago, Illinois; $660.31 in the Treasury of the United States.
Fritz Breitenbach, Bronx, New York; $1,320.61 in the Treasury of the United States.
Vesting Order No. 4557; Claim No. 42491.

Executed at Washington, D.C., on February 29, 1960.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F.R. Doc. 60-2061; Filed, Mar. 4, 1960; 8:50 a.m.]

ETHEL KLIPPER REIFLER ET AL.

Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Ethel Klipper Reifler, Detroit, Michigan; $21.91 in the Treasury of the United States.
Willie Klipper, Brooklyn, New York; $21.91 in the Treasury of the United States.
Jeanette Klipper Scheindel, Bnei Brak, Israel; $65.73 in the Treasury of the United States.
Vesting Order No. 3963; Claim No. 29781.

Executed at Washington, D.C., on February 29, 1960.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F.R. Doc. 60-2060; Filed, Mar. 4, 1960; 8:50 a.m.]

HOUSING AND HOME FINANCE AGENCY

Public Housing Administration

DELEGATIONS OF FINAL AUTHORITY

Section II, Delegations of Final Authority, is amended as follows:

Paragraph E9 is hereby revoked.

Approved: February 26, 1960.

LAWRENCE DAVERN,
Acting Commissioner.

[F.R. Doc. 60-2044; Filed, Mar. 4, 1960; 8:48 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

Issuance to Various Industries

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulations on employment of learners (29 CFR Part 522), and Administrative Order No. 524 (24 F.R. 9274), the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the Act. The effective and expiration dates, occupations, wage rates, number or proportion of learners, learning periods, and the principal product manufactured by the employer for certificates issued under general learner regulations (§§ 522.1 to 522.11) are as indicated below. Conditions provided in certificates issued under special industry regulations are as established in these regulations.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.20 to 522.24, as amended).

The following learner certificates were issued authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Angus Manufacturing Co., 364 North Thomas Street, Athens, Ga.; effective 2-15-60 to 2-14-61 (work pants and shirts).

Burlington Manufacturing Co., 111 West Third Street., Chanute, Kans.; effective 2-10-60 to 2-9-61 (overalls, jackets and masteralls).

Carolina Sportswear Co., Warrenton, N.C.; effective 2-8-60 to 2-7-61 (men's and boys' knitted sportswear).

Carwood Manufacturing Co., Baldwin, Ga.; effective 2-19-60 to 2-18-61 (men's woven cotton work pants).

Carwood Manufacturing Co., Plant No. 1, Monroe, Ga.; effective 2-19-60 to 2-18-61 (men's and boys' dungarees, work pants, lined work coats).

Carwood Manufacturing Co., Plant No. 2, Monroe, Ga.; effective 2-19-60 to 2-18-61 (men's and boys' work pants).

Eloesser Heynemann Co., 1161 Mission Street, San Francisco, Calif.; effective 2-15-60 to 2-14-61 (overalls and work pants).

Finesilver Manufacturing Co., 816 Camaron Street, San Antonio, Tex.; effective 3-2-60 to 3-1-61 (men's and boys' work pants, shirts, denim dungarees).

Holiday Wear, Inc., Ridgeland, S.C.; effective 2-13-60 to 2-12-61 (ladies' cotton maternities and maternity sportswear).

Indiana Sportswear Co., Indiana, Pa.; effective 2-21-60 to 2-20-61 (men's and boys' zipper and button outerwear jackets).

F. Jacobson and Sons, Inc., Tipton and O'Brian Streets, Seymour, Ind.; effective 2-23-60 to 2-22-61 (men's dress shirts).

J. A. Lamy Manufacturing Co., 108 West Pacific Street, Sedalia, Mo.; effective 2-24-60 to 2-23-61 (men's, boys' and women's dungarees).

New Market Manufacturing Co., Inc., New Market, Va.; effective 2-16-60 to 2-15-61 (women's cotton knit sportswear).

Reliance Manufacturing Co., Freedom Factory, Edwards Street, at Tuscon Avenue,

Hattiesburg, Miss.; effective 2-12-60 to 2-11-61 (men's and boys' pajamas).

Rosemont Dress Co., 24 Moser Road, Pottstown, Pa.; effective 2-11-60 to 2-10-61 (ladies' dresses).

S. D. Dress Co., Mill and Frieda Streets, Dickson City, Pa.; effective 2-15-60 to 2-14-61 (children's dresses).

The Salisbury Co., 110 East Second Street, Salisbury, Mo.; effective 2-12-60 to 2-11-61 (men's and young men's dress trousers and slacks).

Southeastern Garment Co., Ltd., 128 Lumpkin Street, Monroe, Ga.; effective 2-12-60 to 2-11-61 (men's dress pants).

Weaver Pants Co., Inc., Corinth, Miss.; effective 2-16-60 to 2-15-61 (men's single pants).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Clayton Garment Co., Clayton, Ala.; effective 2-10-60 to 2-9-61; 10 learners (ladies' coveralls and blouses).

Green Bay Clothing Manufacturers, Inc., 507 Cedar Street, Green Bay, Wis.; effective 2-11-60 to 2-10-61; 10 learners (men's, boys', juvenile outerwear and sportswear).

R. Lowenbaum Manufacturing Co., 130 South Front Street, Mounds, Ill.; effective 2-15-60 to 2-14-61; five learners (junior dresses).

R. Lowenbaum Manufacturing Co., Red Bud, Ill.; effective 2-15-60 to 2-14-61; five learners (junior dresses).

Ruleville Manufacturing Co., Ruleville, Miss.; effective 2-24-60 to 2-23-61; 10 learners (men's and boys' outerwear, jackets).

Glove Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.60 to 522.66, as amended).

The Glove Corp., Heber Springs, Ark.; effective 2-11-60 to 2-10-61; 10 learners for normal labor turnover purposes (leather combination work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.40 to 522.44, as amended).

Athens Hosiery Mills, Inc., Athens, Tenn.; effective 2-20-60 to 2-19-61; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless—misses' and children's).

Charles H. Bacon Co., Inc., Lenoir City, Tenn.; effective 2-13-60 to 2-12-61; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.30 to 522.35, as amended).

Hazlehurst Manufacturing Co., Inc., 212 Gill Street, Hazlehurst, Ga.; effective 2-10-60 to 2-9-61; 5 percent of the total number of factory production workers for normal labor turnover purposes (women's underwear).

Shoe Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.50 to 522.55, as amended).

Lisbon Shoes, Inc., Lisbon, N.H.; effective 2-10-60 to 2-9-61; 10 percent of the total number of factory production workers for normal labor turnover purposes (women's shoes).

B. B. Walker Shoe Co., Asheboro, N.C.; effective 2-26-60 to 2-25-61; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's work shoes).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.11, as amended).

Famous-Sternberg, Inc., 950 Poeyfarre Street, New Orleans, La.; effective 2-26-60 to 8-25-60; 5 percent of the total number of factory production workers for normal labor turnover purposes in the occupations of sewing machine operator, final presser, and finishing operations involving hand sewing, each for a learning period of 480 hours at the rates of 90 cents an hour for the first 280 hours and not less than 95 cents an hour for the remaining 200 hours (men's wool, cotton and synthetic fiber suits, jackets and trousers).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9.

Signed at Washington, D.C., this 18th day of February 1960.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 60-2048; Filed, Mar. 4, 1960; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

MARCH 2, 1960.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 36056: *Scrap iron or steel—Dubuque, Iowa to East St. Louis, Ill.* Filed by The Illinois Central Railroad Company for and on behalf of itself. Rates on scrap iron or steel, in carloads, as described in the application from Dubuque, Iowa to East St. Louis, Ill.

Grounds for relief: Barge competition.

Tariff: Supplement 171 to Illinois Central Railroad Company tariff I.C.C. A-11571.

FSA No. 36057: *Phosphate rock—Florida Mines to Elkhart and Normangee, Tex.* Filed by O. W. South, Jr., Agent (SFA No. A3916), for interested rail carriers. Rates on phosphate rock, in carloads from specified points in Florida to Elkhart and Normangee, Tex.

Grounds for relief: Short-line distance formula.

Tariff: Supplement 148 to Southern Freight Association Tariff Bureau tariff I.C.C. 1514.

FSA No. 36058: *Phosphate rock—Florida Mines to Missouri points.* Filed by O. W. South, Jr., Agent (SFA No. A-3918), for interested rail carriers. Rates on phosphate rock, in carloads from specified points in Florida to specified points in Missouri.

Grounds for relief: Short-line distance formula.

Tariff: Supplement 148 to Southern Freight Association tariff I.C.C. 1514.

FSA No. 36059: *Grains—Iowa points to Gulf Ports.* Filed by Western Trunkline Committee, Agent (No. A-2111), for interested rail carriers. Rates on barley, corn, oats, rye or wheat, in bulk, in carloads from specified points in Iowa to Gulf ports in Alabama, Florida, Louisiana, Mississippi, and Texas—for export and coastwise movement.

Grounds for relief: Restore port relationships disrupted by depressed rates based on combination rates to New Orleans, La., made over Chicago or Peoria, Ill., from the same origins.

Tariff: Supplement 34 to Chicago and North Western Railway Company tariff I.C.C. 11298.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 60-2056; Filed, Mar. 4, 1960; 8:49 a.m.]

[Notice 273]

MOTOR CARRIER TRANSFER PROCEEDINGS

MARCH 2, 1960.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 62760. By order of February 29, 1960, the Transfer Board approved the transfer to Horn Transportation Inc., Kansas City, Mo., of Certificate No. MC 106194 Sub 4 issued February 18, 1958, in the name of O. W. Horn, doing business as Horn Transportation, Kansas City, Mo., authorizing the transportation of pipe, pipe coupling, and fittings therefor, iron and steel articles, machinery and agricultural implements and parts therefor, materials, equipment, and supplies, contractor's equipment, materials and supplies, livestock, and petroleum products, over irregular routes, between points in Missouri located in the Kansas City, Mo.-Kansas City, Kans., Commercial Zone, as defined by the Commission, and points in Kan-

sas, on the one hand, and, on the other, points in Nebraska, Colorado, and Oklahoma; and substitution in MC 106194 Sub 10. Wentworth E. Griffin, 1012 Baltimore, Kansas City, Missouri for applicants.

No. MC–FC 62844. By order of February 26, 1960, the Transfer Board approved the transfer to Bette Adele James, doing business as A. B. James Freight Lines, 3645½ Rosecrans, San Diego, Calif., of Certificate in No. MC 96631, issued November 13, 1953, to A. B. James, doing business as A. B. James Freight Line, 3645½ Rosecrans, San Diego, Calif., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities, between Oakland, Calif., on the one hand, and, on the other, North Island, Calif., and from Oakland, Calif., to San Diego, Calif., with certain restriction.

No. MC–FC 62877. By order of February 29, 1960, the Transfer Board approved the transfer to Sam Benowitz Trucking Co., Inc., Lodi, N.J., of Certificates Nos. MC 95990 and MC 95990 Sub 1, issued June 20, 1942 and January 1, 1943, respectively, to Sam Benowitz, doing business as Sam Benowitz Trucking, Lodi, N.J., authorizing the transportation of: Dresses between Lodi, N.J., and New York, N.Y., materials and trimmings for dresses, from New York to Lodi, N.J., and wearing apparel and cut or uncut goods, trimmings, buttons, clips, clasps, and other articles, only when such articles are utilized in the manufacture of wearing apparel, between New York, N.Y., and Passaic and Paterson, N.J. Herman B. J. Weckstein, Attorney, 1060 Broad Street, Newark 2, N.J., for applicants.

No. MC–FC 62889. By order of February 29, 1960, the Transfer Board approved the transfer to Lee Bros., Inc., Chicago, Ill., of Certificate in No. MC 44761, issued September 16, 1955, to Lee Brothers, Inc., Chicago, Ill., authorizing the transportation of: General commodities, with the usual exceptions including household goods and commodities in bulk, from, to, or between specified points in Illinois, Indiana, Michigan, Ohio, and Pennsylvania. N. A. Giambalvo, 33 North La Salle Street, Chicago 3, Ill., for applicants.

No. MC–FC 62897. By order of February 29, 1960, the Transfer Board approved the transfer to L. J. Hayslett, doing business as Hayslett Truck Line, Tipton, Iowa, of Certificate No. MC 114285 Sub 2, issued December 22, 1959, to W. A. Barkhurst, doing business as Barkhurst Truck Line, Tipton, Iowa, authorizing the transportation of: Fertilizer, from Prairie du Chien, Wis., to points in Cedar and Johnson Counties, Iowa, with no transportation for compensation on return except as otherwise authorized. William A. Landau, P.O. Box 1634, Des Moines, Iowa, for applicants.

No. MC–FC 62903. By order of February 29, 1960, the Transfer Board approved the transfer to Comonaldo Cicerone, doing business as John Cicerone and Son, Milford, Pa., of Certificates in Nos. MC 95329, MC 95329 Sub 4, and MC 95329 Sub 5, issued June 17, 1944, June 16, 1950, and August 11, 1950, respectively, to John Cicerone, and Comonaldo Cicerone, a partnership, doing business as John Cicerone & Son, Milford, Pa., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities between points in New Jersey, Pennsylvania, and New York within 25 miles of Port Jervis, N.Y., including Port Jervis; Household goods as defined in *Practices of Motor Common Carriers of Household Goods* 17 M.C.C. 467, between Port Jervis, N.Y., and points in New York, New Jersey and Pennsylvania; between Milford Pa., ice, during a specified season, from Newton, N.J., to Milford, Pa., corn and apples from Milford, Pa., to New York, N.Y., general commodities, with exceptions, between Port Jervis, N.Y., and Dingmans Ferry, Pa., hides, tallow, rendering materials and lumber, between Matamoras, Pa., and points in Pennsylvania and New York and points in New Jersey and New York, coal from points in Lackawanna County, Pa., to points in New York, general commodities, with exceptions, between Milford, Pa., and Scranton, Pa., with restrictions, and between Stroudsburg, Pa., and Dingmans Ferry, Pa., with restriction. Dorothy Stroh Tisdale, Attorney at Law, 103 West High Street, for applicants, Milford, Pike County, Pa.

No. MC–FC 62979. By order of February 29, 1960, the Transfer Board approved the transfer to Sudden Service Bonded Hauling Co., a Corporation, Union, Mo., of the operating rights in Certificate No. MC 75621, issued June 25, 1952, to Charles Zimmerman, doing business as Sudden Service Bonded Hauling Co., Union, Mo., authorizing the transportation, over regular routes, of general commodities, excluding household goods and commodities in bulk, and other specified commodities, between Union, Mo., and St. Louis, Mo., and between Sullivan, Mo., and St. Louis, Mo. A. A. Marshall, 305 Buder Building, St. Louis 1, Mo., for applicants.

No. MC–FC 62985. By order of February 29, 1960, the Transfer Board approved the transfer to Brown Bros. Cartage Co., a Corporation, Chicago, Ill., of the operating rights issued to Raymond Brown and Bernard Friedman, a Partnership, doing business as Brown Brothers Cartage Service, June 26, 1957, in Certificate No. MC 96121, authorizing the transportation, over irregular routes, of general commodities, except household goods, commodities in bulk, and other specified commodities, between points in Chicago, Ill., in collection and delivery service, and between Chicago, Ill., on the one hand, and, on the other, points in the Chicago, Ill., Commercial Zone, as defined by the Commission, and of household goods, between Chicago, Ill., on the one hand, and on the other, points in that part of Illinois, Indiana, Iowa, Michigan, Ohio, and Wisconsin within 300 miles of Chicago, and July 31, 1957, in Permit No. MC 116059, authorizing the transportation, over irregular routes, of such commodities as are dealt in by retail furniture dealers, in a retail delivery service, from the sites of the stores and warehouses of the Libby Furniture and Appliance Company, in the Chicago, Ill., Commercial Zone, and Waukegan, Ill., to points in Illinois, Indiana, Michigan, Wisconsin, and that part of Iowa on and east of U.S. Highway 69, and damaged, defective, returned, used repossessed, and trade-in merchandise dealt in by retail furniture dealers, from the destination points specified immediately above of the sites of the stores and warehouses of the Libby Furniture and Appliance Company, in the Chicago, Ill., Commercial Zone, as defined by the Commission, and Waukegan, Ill. Edward G. Bazelon, 39 South La Salle Street, Chicago 3, Ill., for applicants.

No. MC–FC 62990. By order of February 29, 1960, the Transfer Board approved the transfer to Charles Stuhaug, doing business as Charles Stuhaug Trucking, Fertile, Minn., of Certificate No. MC 29845 issued May 14, 1951, in the name of Charles Stuhaug and Ervin Trontvedt, a partnership, doing business as Stuhaug and Trontvedt, Fertile, Minn., authorizing the transportation of general commodities, excluding household goods, commodities in bulk, and other specified commodities, over a regular route, between Fertile, Minn., and Fargo, N. Dak., and livestock, over irregular routes, between Fertile, Minn., and points within 25 miles of Fertile, on the one hand, and, on the other, West Fargo and Union Stockyards, Cass County, N. Dak. Robert R. Remak, Fertile, Minn., for applicants.

No. MC–FC 63010. By order of February 29, 1960, the Transfer Board approved the transfer to Leslie Lieswald, Chambers, Nebr., of Certificates No. MC 103932 issued February 28, 1955, to M. J. Fagan, Chambers, Nebr., authorizing the transportation of general commodities excluding household goods, and specified commodities, over regular routes, between Ewing, Nebr., and Council Bluffs, Iowa; serving the intermediate and off-route points of Omaha and Clearwater, Nebr., and points in Nebraska within 20 miles of Ewing; and between Ewing, Nebr., and Sioux City, Iowa; serving the intermediate and off-route points in Nebraska, within 20 miles of Ewing, grain, over irregular routes, from points in Iowa, to Ewing, Nebr., and points within 20 miles of Ewing; general commodities, excluding household goods, commodities in bulk and various specified commodities, between Chambers, Nebr., and points within 20 miles of Chambers, on the one hand, and, on the other Sioux City, Iowa, livestock, between Ainsworth, Atkinson, Bassett, Norfolk, and Ewing,

Nebr., and points in Nebraska within 30 miles of Ewing, on the one hand, and, on the other, points in Iowa, Minnesota and South Dakota; blue grass seed, blue grass strippers and hay, between Ewing, Nebr., and points in Nebraska within 30 miles of Ewing on the one hand, and, on the other, Atchison and Kansas City, Kans., and Kansas City, King City and St. Joseph, Mo., points in Minnesota and Missouri and those in that portion of Kansas on and east of U.S. Highway 81, and points in Iowa; and lumber and wooden fence posts, from points in Pennington and Custer Counties, S. Dak., to Ewing, Nebr.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 60-2057; Filed, Mar. 4, 1960; 8:49 a.m.]

CUMULATIVE CODIFICATION GUIDE—MARCH

A numerical list of parts of the Code of Federal Regulations affected by documents published to date during March. Proposed rules, as opposed to final actions, are identified as such.